Saturday Evening Post · February 11, 1967 · 35c

POST

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CRIME

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how the law really works

GOLDWATER

speaks out

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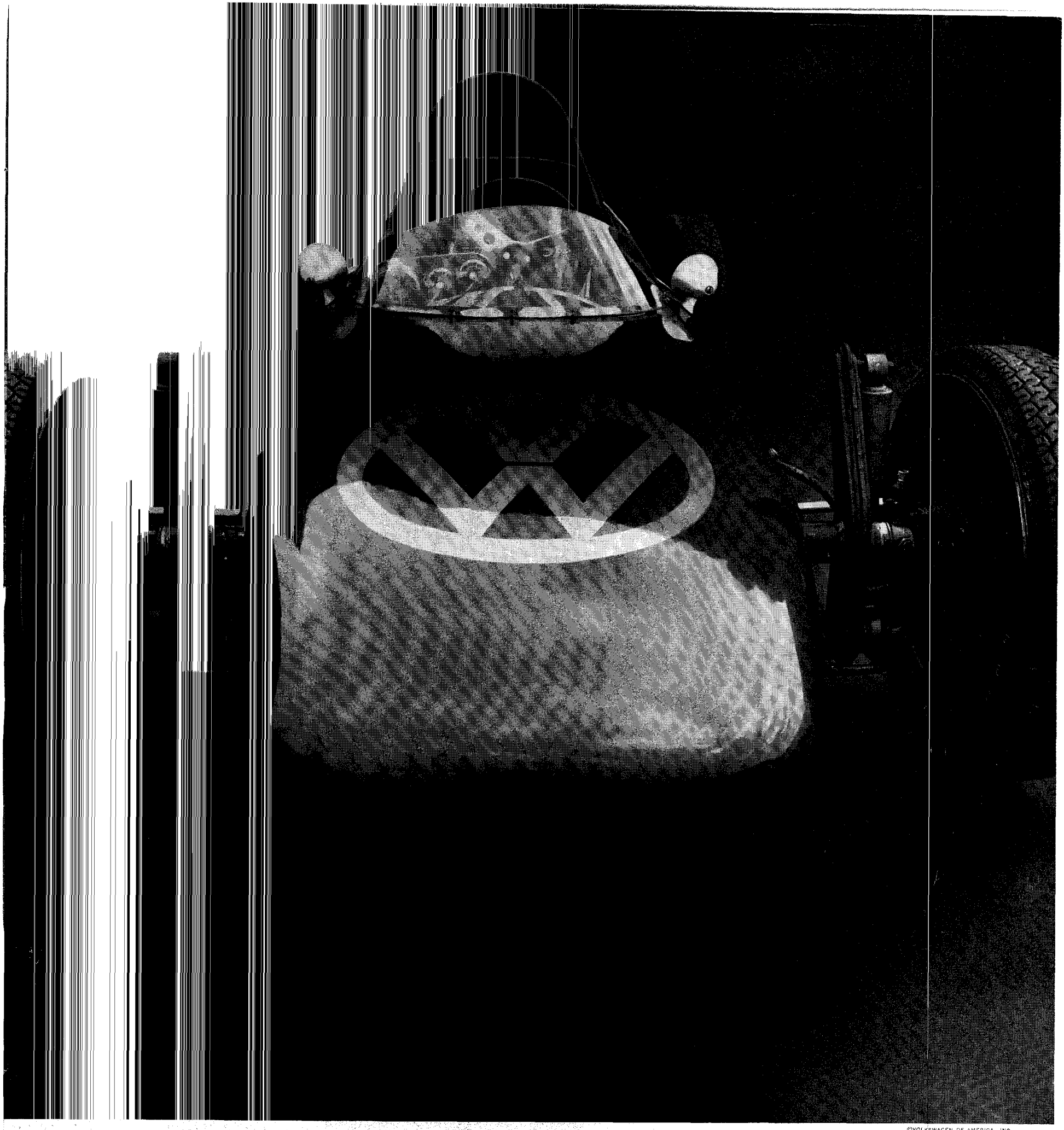

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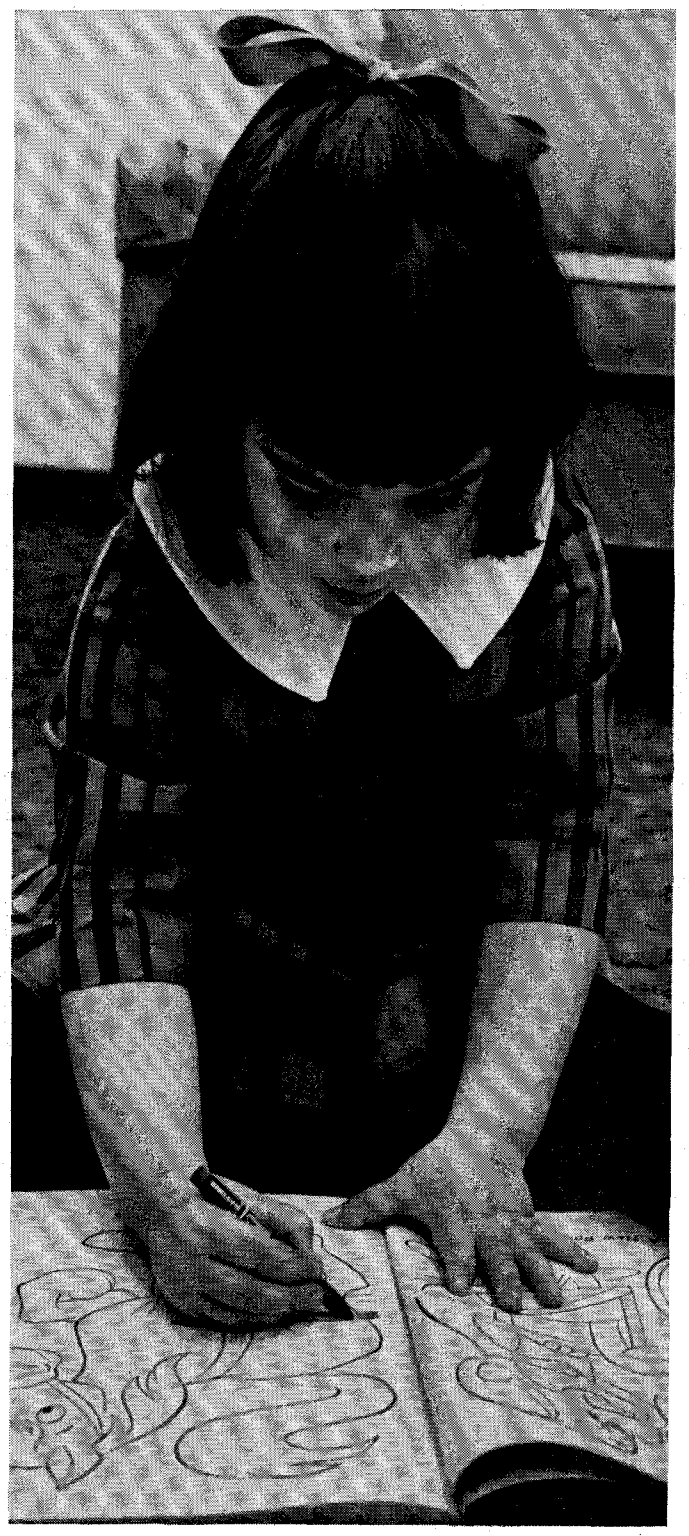

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The Saturday Evening
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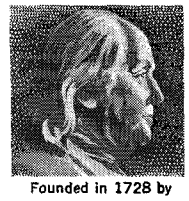

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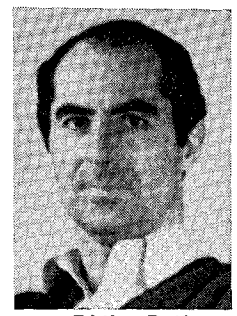

Philip Roth

Martin Mayer

Editor-at-large BILL DAVIDSON, who in this issue writes about Jackie Gleason, recently broke into show business himself—as radio commentator twice weekly on NBC's *Point of View*. . . . Last year MARTIN MAYER explored the American legal profession for the *Post* in *Justice, the Law and the Lawyer* (February 26); in this *Post* his article concentrates on criminal law. Mayer's forthcoming book *Lawyers and Laws* will be his latest in a succession of books that includes *Wall Street, The Schools* and *Madison Avenue, U.S.A.*... PHILIP ROTH, who makes his initial *Post* appearance in this issue, won the National Book Award in 1960 for his first collection of stories, *Goodbye, Columbus*. His first novel, *Letting Go*, was a best seller in 1962. . . . Editor of the *Fireside Book of Boxing*, W. C. HEINZ has written before about fight manager Jack Hurley—who was the prototype of the hero of Heinz's acclaimed boxing novel, *The Professional*. / Cover photo by Charles Moore.

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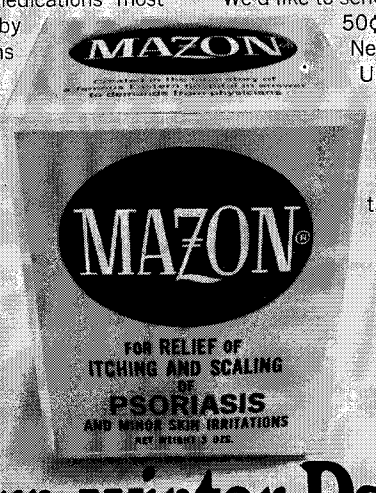

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Letters

Love in America

Dear Sirs:

Your issue on LOVE IN AMERICA [December 31–January 7] was a wonderful way to close the old year and light the way into the new one. I'm glad you thought of it.

SARA ROBERTA GETTY
Somerset, Pa.

Dear Sir:

May I express my pleasure with the LOVE IN AMERICA issue of the *Post?* The text is generally entertaining and sound, and the illustrations excellent. It's a nice start for 1967.

HENRY P. DUTTON
Philadelphia, Pa.

Dear Sirs:

No Vietnam, no LSD, no racial riots or college revolts! Thank you for a lovely issue.

HELEN M. LANGSTON
St. Petersburg, Fla.

Dear Sir:

I am a sentimentalist from the word "go," but that hearts-and-flowers theme was too much even for me. I am looking forward to the next issue of the *Post*, when I hope things will be back to normal, and all will not be sweetness and light.

MRS. HENRY SPARRER
St. Louis, Mo.

Gentlemen:

I had to hide your special issue before my teen-ager could get hold of it. Editors should strive to build up morals rather than tear them down.

MRS. CHARLES SCHEMPER
Prairie View, Kans.

Gentlemen:

The *Post*'s special issue was penetrating, but none of the articles mentioned the difference between "loving" and "being in love." To love another admits the good and bad in human nature and does not depend on the behavior patterns of another. To be in love means tumbling through an unstable, unpredictable series of situations which hinge on mutual role fulfillment. To love another is humanly beautiful; to be in love is humanly disastrous.

RICHARD W. JOHNSTON
Milwaukee, Wis.

My Good (but hopeless) Romantics:

The devoting of an entire issue of your usually sane and enjoyable publication to the greatest of man's self-delusions, love, is an almost unforgivable *faux pas*. Love is the very antithesis of common sense, the greatest enemy of practicality, the most contagious and least preventable of all man's afflictions. Love indeed!

BOB RENAUD
Washington, Mass.

Dear Sirs:

Good heavens, has Helen Gurley Brown gotten control of the *Post* too?

MRS. K. R. COOPER
Suffield, Ohio

Dear Sir:

You must be commended for the attempt to help your readers to understand one of the most important driving forces in the life of man.

SYDNEY S. HALET
Mattapan, Mass.

Gentlemen:

Eros is the word for passion that springs from the depths of one's own need and cries out to the other for fulfillment of the desire. *Agape* is the love that overflows and gives of its fullness without asking for return. No distinction is made anywhere in your text between the two.

DR. PALUEL J. FLAGG
New York, N.Y.

Dear Sir:

It helps to know that problems in loving and understanding are very common—we all think everyone else is happy and has no problems like our own.

It seems everyone today is groping for love. It was good to see how others find love and cope with it, and that with or without love life still must be lived.

MARGARET E. GROFF
Schenectady, N.Y.

Love: polls . . .

Dear Sir:

The statistical evidence which was so precisely calculated in percentages by Elmo Roper's interviews and written in Sandford Brown's article ['MAY I ASK YOU A FEW QUESTIONS ABOUT LOVE?'] were all you claimed they would be—"frank, funny, fascinating"—but revealed little new about the subject. And after all is said and done, how could Mr. Brown or anyone else give a definition for love and analyze it after interrogating people? Love is not a "cake mix" which will produce the same results regardless of who uses it.

MARTHA MATTHEWS
Van Nuys, Calif.

. . . poetry . . .

Dear Sir:

After reading the two pages of verbal calisthenics titled VOICES OF LOVE, I went to my library and read again two sonnets by Elizabeth Barrett Browning, Byron's *She Walks in Beauty*, Leigh Hunt's ever charming *Jennie Kissed Me*, and Shelley's immortal *To* ——. When I had finished reading these real love poems, I felt so mentally refreshed that I decided not to burn my copy of the *Post* after all.

DR. J. C. HEPLER
Glenside, Pa.

. . . and parody

Dear Sirs:

The HUMAN COMEDY article in your LOVE issue [THE HOOBOY ADVISOR] was the best yet. John Skow had me rolling with laughter in my 15-foot, revolving, total-environment bed!

JAY MILLS
San Antonio, Tex.

Gentlemen:

I couldn't believe it when a friend showed me THE HOOBOY ADVISOR—Irish Mohawk mistress, indeed! I still burst into laughter every time I think of the article.

R. S. GRESHAM
Richmond, Va.

Continued on page 6

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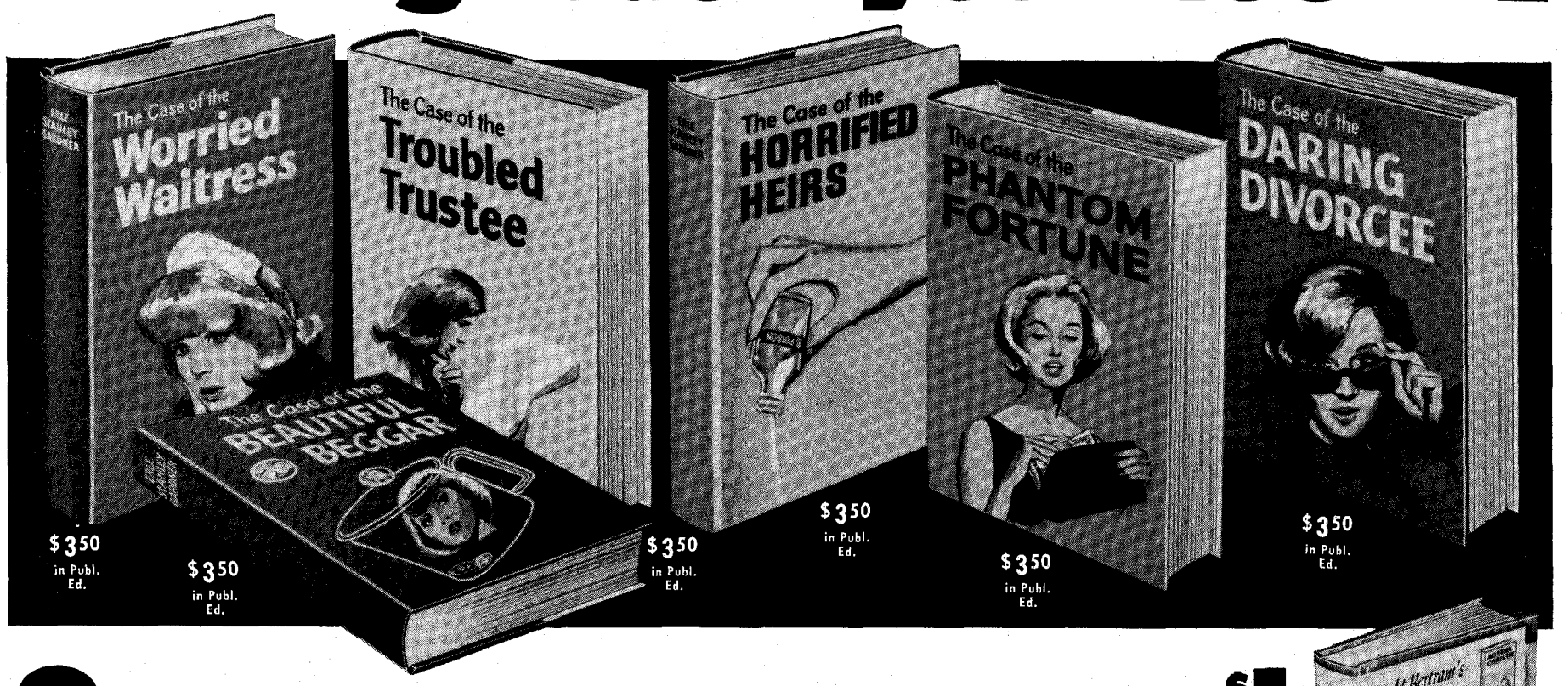
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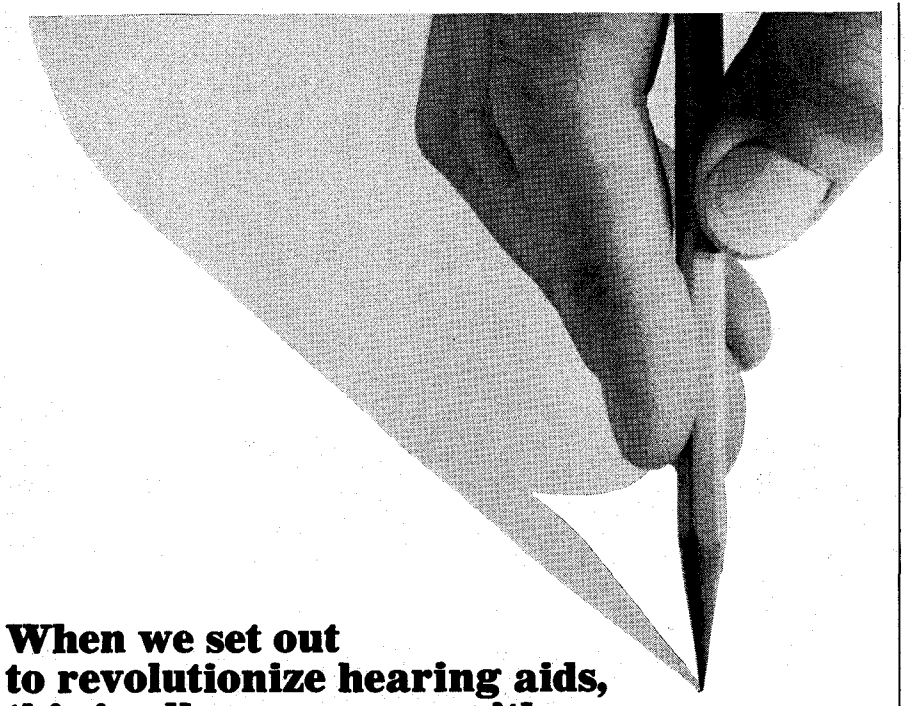

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Letters

Love's facets and faces

Dear Sir:

Your LOVE IN AMERICA issue was unusual, to say the least; but one aspect of love was obvious in its absence—the love of God. During the holy season of Christmas, I wondered if it was an oversight, or did the Supreme Court ban God in family magazines?

FRANCES M. BRANDER
Chester, N.J.

Dear Editor:

I am very disappointed. Brotherly love should have been the No. 1 subject in your LOVE publication.

DAVE SCHOENFELD
Long Beach, N.Y.

Dear Sirs:

When I finished looking through the issue, I began to feel something was missing—no love among Negroes.

You went so far as to put in old people, a good article on single people, lots of other good stuff, lovely stuff. But get with it, man. It's now become fashionable to think (or at least say) that Negroes are people, real people.

MRS. DURHAM MILLER
Wellesley Hills, Mass.

Dear Sir:

In your issue you mention nothing of the American Indian love for nature, love for children, love for their religion and culture. How does this omission relate to an issue devoted to love?

CLAUDE H. HEYER
Lummi Indian Business Council
Marietta, Wash.

Gentlemen:

According to the Sandford Brown article based on Elmo Roper's poll about love, two thirds of Americans apparently love animals. Yet your "love-ly" issue almost conspicuously neglects this revelation, picture-wise and text-wise, in dealing with the subject of "Love in America."

G. MARTIN WINEMILLER
Findlay, Ohio

Dear *Post*:

Your magazine is wonderful. But how could you—I mean, how *could* you?—neglect to put on your map of LOVE WAS WHERE THEY FOUND IT that on July 1, 1959, Jerry Berkowitz married Estelle Manassi, and they lived happily ever after in New Jersey!

MRS. JERRY (ESTELLE) BERKOWITZ
Washington, N.J.

Romantic mating

Dear Sirs:

I would like to congratulate Russell Baker for his article LOVE, YOUR MAGIC SPELL IS EVERYWHERE, DAMMIT. His tongue-in-cheek manner (which is the only way to present this topic without incurring the wrath of "love lovers") showed that love *doesn't* have to constantly be foremost in people's lives and marriages.

LANSING O'NEAL
Winter Park, Fla.

Dear Sirs:

All of the articles and stories were good, but I agree with Russell Baker and thank him for giving me the best laugh I've had in some time. Love, with or without sex, is not The Answer to the problems that confront us.

CARL MAYFIELD
Albuquerque, N. Mex.

Dear Sirs:

Mr. Baker is using the word "love" to mean infatuation, emotionalism and passion. Granted, love is commercialized, romanticized and distorted in America. But instead of criticizing this situation, Mr. Baker has shown that he too has lost the true meaning of love.

CATHY STRITTMATTER
Des Moines, Iowa

Gentlemen:

I'd suggest making Mr. Baker's article available in pamphlet form to that vast group of teen-age "sufferers"—who do need help!

CARL A. BERGER
Chicago, Ill.

Computer dating

Dear Sirs:

While I realize that Ann Bayer's MY HEART BELONGS TO (A), (B), (C), (D), (OTHER) is a fiction story, it does not give the public a true picture of computer dating. My company computes thousands of people each month for compatibility matching. From the answers these people give us to specially prepared questions, we are able to *match* up the most compatible couples.

Oh, I know we aren't perfect—or I should say our computer isn't. But the way Miss Bayer tells it, the principle of dating via computer does not work too effectively. And yet we get letters each day from happy and contented individuals who thank us for our services. Miss Bayer reported what she thought was a nice tongue-in-cheek story, but we here at Compu-Tell, Inc., do not feel it accurately reports how beneficial the system has proven to so many thousands of people.

NORMAN J. PAYSON
Compu-Tell, Inc.
Wayne, N.J.

Sirs:

Ann Bayer's story is a fascinating tale of modern dating. But there are those of us who still remember the "dance dates" of long ago. At a party, dates were selected by drawing their names from a hat, and much fun was usually enjoyed by all.

W. HEAD
Windsor, Ont.

Sirs:

We especially loved Ann Bayer's brilliant computer-dating piece. My husband even insisted on reading it aloud with our usual Christmas reading.

MRS. URBAN NEININGER
New York, N.Y.

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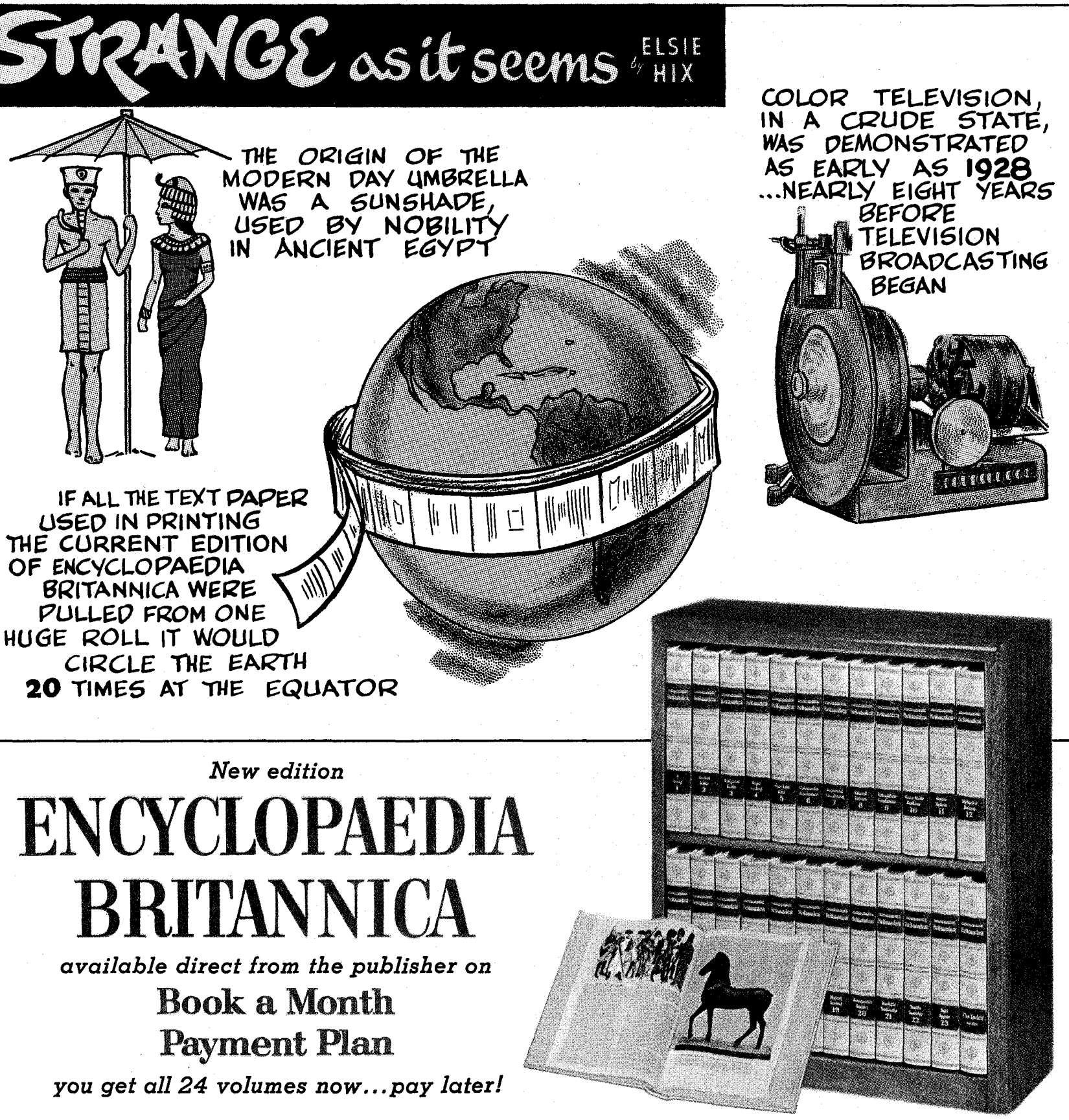
STRANGE as it seems by ELSIE HIX
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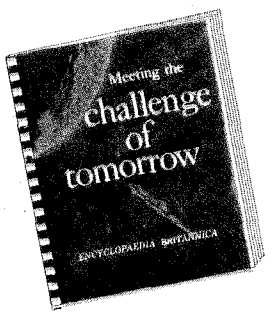

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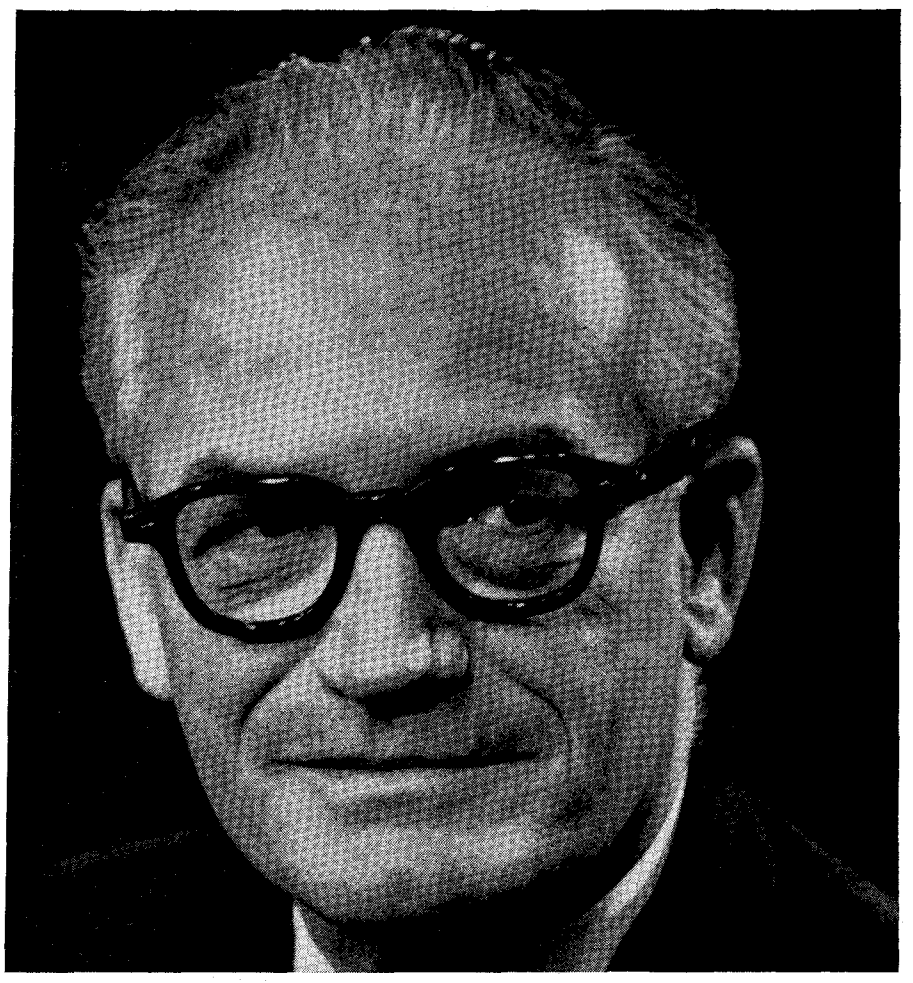
Speaking Out

DON'T BELIEVE WHAT THE LIBERALS TELL YOU

BY BARRY GOLDWATER



What do you call it when a person falsely makes the accusation that someone is associated with the enemies of democracy?

Or what do you call it when someone tries to slam the door on a political debate by the use of personal insults?

Or how do you describe the regular use of the plain old-fashioned lie as a tool of "truth"?

What do you call that kind of behavior? McCarthyism? Extremism? Birchism? Ku Klux Klanism? The Big Lie Technique?

Self-styled liberals, in particular, have a wide vocabulary of political and philosophical cuss words to describe such activities. They should. They are personally guilty of practicing every one of those techniques even as they weep, wail, moan, shriek, cry, froth and foam about how those nasty conservatives go around "smearing" people.

I'm not speaking from theory or secondhand opinion. I'm speaking from firsthand experience. And I'm not hinting anything, or suggesting, or supposing, or guessing. I am saying flatly, and on the basis of the factual record, that "liberals" in this country have piled up a record of smear and distortion that gives the lie to their every utterance of pious moral superiority.

They are two-faced.

They practice a double standard of truth and fairness.

The only part of this charge for which I am prepared to hear some contradictory evidence is the generalization. There must be some liberals who do not practice this double standard. But if any are brought to my attention, I would be prepared to bet that they are the sort of liberals whom most of their fellow liberals regard as renegades.

By liberals, of course, I mean, in a political sense, those who believe that the only solution to our political problems rests in collectivity and not in individual initiative. I hasten to add that this does not fit the classic definition of "liberal," but these people have done their own perverting of words and their meanings. For one reason or another it has always seemed somehow impolite to bring the moral credentials of liberal writers and commentators into question. Dick Nixon, for instance, was widely castigated for his criticism of the press coverage of his California gubernatorial campaign in 1962—but I have yet to hear a person who listened to him who didn't also admit, in effect, that "Of course we all know that what he said was correct. He just shouldn't have said it in public."

I, for one, am tired of this pussyfooting about a matter of crucial importance to every American. We should make our political decisions in an atmosphere of free, open and rational debate; not in a steaming sewer of half-truths, no-truths and ideological fog.

The need for some public candor on this subject is particularly painful, it seems to me and to every person with whom I have discussed the matter—persons ranging from cab drivers to ex-cabinet officers—since the fantastic coverage of the recent congressional and gubernatorial elections.

Now that is a matter that doesn't need to be documented in detail here. It is documented, indelibly, in the memory of practically every man, woman and child who watched network television on election night last November. The bias toward victory by so-called liberal, or at least nonconservative or non-Republican candidates, was obnoxious to most viewers. I think anyone would remember David Brinkley's hound-dog look as the votes piled up for Ronald Reagan, and certainly everyone will remember the doomsday look of Eric Sevareid as he began to realize that many liberal bubbles were being pricked around the nation. In my judgment, the overall bias was so strong that Mr. Brinkley actually seemed to me to lose his temper when a colleague "revealed" that Brinkley himself lived in a heavily Republican suburb of Washington. Mr. Brinkley's ringing defense against this slander was to quickly reassure his audience that he hadn't even voted. No matter what Mr. Brinkley's personal political leanings, which I myself feel to be honest and responsible, the atmosphere of the evening was so heavily charged that it was bound to provoke such an incident.

Let me get something straight, however, at this exact point. No matter how lopsided this liberal double standard makes news coverage—I do not regard censorship or any kind of formal control as a solution. In fact, it is part of the problem that liberal domination of the working level of most news media exercises a sort of censorship on its own. No. Censorship is never an answer. I know that as the double standard becomes more pronounced there will be more and more cries for censorship. I even know that things some day could get so bad that, in sheer revulsion, and given localities with the political balance of power to do something about it, there might even be impositions of censorship. Recent attempts to bar some speakers from certain state campuses are just a symptom.

The impulse to such censorship is understandable. It is not, in conscience, supportable. Censorship is not the answer. The answer is open competition. And I am not so pessimistic as to believe that those most sensitive of corporate entities, the TV networks, aren't going to realize some day that true balance and a true coverage of "both sides" of political issues is a highly salable commodity.

Rather than dwell on what millions of Americans have seen with their own eyes and heard with their own ears, however, I want to take a few swats at the liberal double standard as practiced in the public print—including the print of *The Saturday Evening Post*.

During the 1964 presidential campaign this magazine presented an editorial which—I will bet a year's subscription—will be read for years in journalism schools as an unbeatable example of editorial extremism. I will quote just one typical sentence, lest the present *Post* editors lose any sleep over an "incident" which, if they choose, they can simply slough off as having

One measure of a democracy's strength is the freedom of its citizens to speak out—to dissent from the popular view. Although the editors often disagree with the opinions expressed in Speaking Out, they dedicate the series to that freedom.

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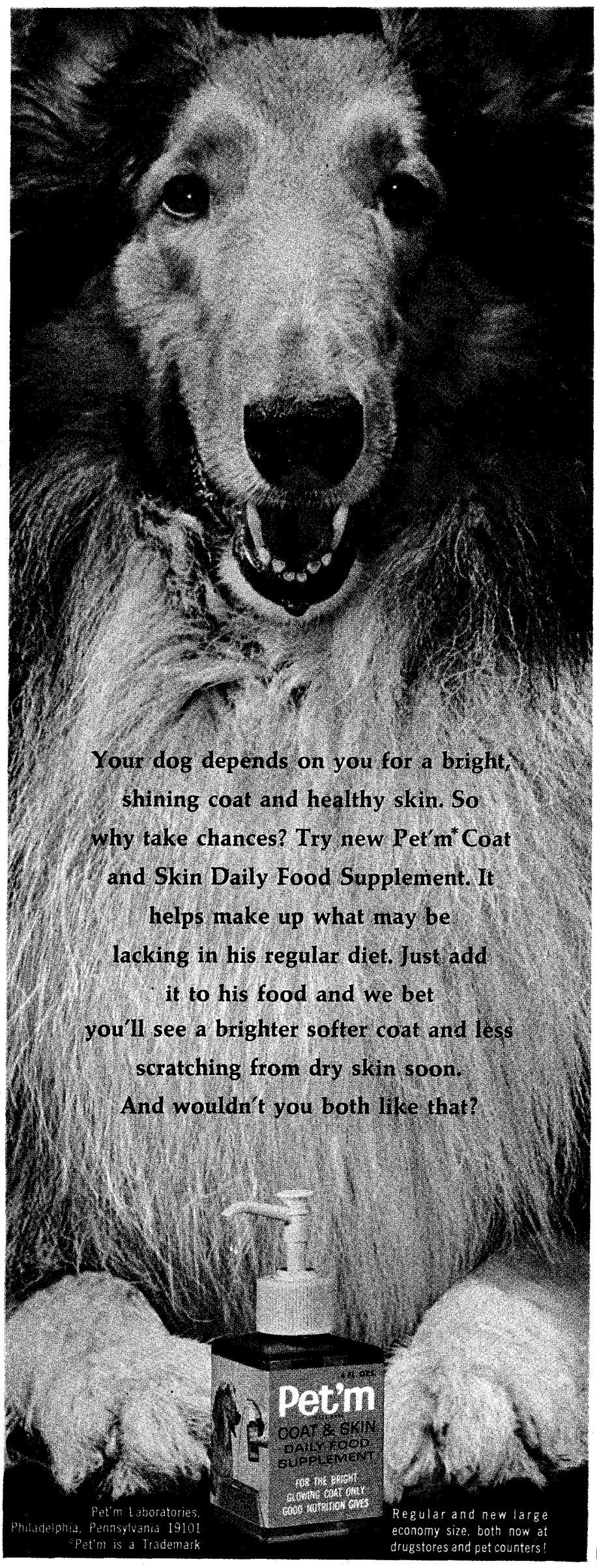
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been "someone else's responsibility."

The Saturday Evening Post, in its epic contribution to clean campaigning, presented this thoughtful evaluation of the presidential candidate with whom I am the most closely acquainted, me:

"He is a wild man, a stray, an unprincipled and ruthless political jujitsu artist. . . ."

There is not, in the entire long repetition of such charges, a single factual statement that had real bearing on the campaign. It was hate literature, pure and simple—exactly the kind of intemperate diatribe which—I'll bet another year's subscription—the editors have editorialized against throughout the years; until it came time to practice what they preach.

Let's return, for a moment, to the points with which I began this little love letter to the illiberal liberals. Do I really mean that any lofty liberal ever really falsely accused someone of being associated with subversives or totalitarians? You thought that was the sort of thing only done by anti-Communists, some of whom have used pretty skinny excuses for calling a person pink?

Well, let me first assume that you regard Fascism as subversive, along with Communism. Wouldn't an unfounded charge linking one with Fascism, or saying he was a Fascist, be pretty much the same as an unfounded charge linking a person with a Communist group or saying he was a Communist?

Agree? Then will CBS and *The New York Times* please stand up and take their well-deserved bows for practicing precisely this sort of smear technique?

The CBS contribution came in a widely broadcast dispatch from one of the network's European correspondents, Daniel Schorr, in July, 1964, just ahead of the presidential campaign. Schorr flatly reported that I was trying to appeal to right-wing elements in Germany as "only the start of a move to link up with his opposite numbers in Germany." Referring to "right-wing elements" in Germany is the equivalent, of course, of referring to pro-Communists as the "far left." It avoids certain legal complications, but it gets the point across neatly and precisely. Schorr, however, wasn't content to risk anyone's missing the point. He then went on to report that I had accepted an invitation to speak before an evangelical academy near Munich which, he dutifully reported to his audience, was widely regarded as a breeding ground for neo-Fascism.

Mr. Schorr's report was, to put it politely, not true. But millions heard it, thanks to the facilities of the Columbia Broadcasting System, which has devoted major documentary time to bemoaning the fact that there is "extremism" abroad in the land—and on the airwaves, fellows, eh?

The New York Times not only repeated the Schorr charges regarding the evangelical academy, of which I had never even heard, but it added some new fuel to the fire, concerning the charge of neo-Fascism. In a dispatch from its correspondent, Arthur J. Olsen, the *Times* reported that I had been in "frequent and friendly" correspondence with a controversial and "militant" German politician and had given an interview to "an extreme rightist weekly."

There was no such correspondence, nor was any evidence of it ever produced. There was no such interview. As the *Times* easily could have checked, this "extreme rightist weekly" had simply quoted public statements which I had made. The *Times* piece, in short, was a full-fledged falsehood.

And what about the personal-insult technique? Is that below the belt for upstanding liberals? If so, they must wear their belts in an odd position. Again, during the campaign period, no less a liberal leader than Mr. Walter Reuther, president of the United Auto Workers, wrote a widely quoted letter saying that I was not only wrong but mentally unbalanced. Temperate, eh? High-level liberal debate!

Mr. James Farmer, a man of luminous liberal credentials, who was then head of the Congress for Racial Equality, summed up an aspect of the liberal double-think process that extends far beyond journalism. He was quoted, during the campaign, as saying that I had "no program. He is just against everything." I submit that for someone to be against everything would surely represent a remarkable feat. One of the specific suggestions I made during the campaign (and I made and published them on dozens of subjects, including the draft—which I pledged to end—and on the need to upgrade skills to end poverty) is still today caught up in the double standard. This suggestion, made early in the campaign and repeated throughout, was that we establish an equitable way in which the Federal Government could share tax revenues with the 50 states. Today that same proposal is being hailed as a triumph of "moderate" and "progressive" thinking. But even if Mr. Farmer himself agreed with those descriptions, today, I wonder if he might be moved to reexamine his former statement? Not under the liberal double standard he wouldn't.

Perhaps the most flagrant example of widespread use of The Big Lie technique came after I had been interviewed by Howard K. Smith on ABC's *Issues and Answers* program. One question was about interdicting Viet Cong supplies in the heavy jungle cover of Vietnam. Part of my reply was, from the transcript: "There have been several suggestions made. I don't think we would use any of them. But defoliation of the forests by low-yield atomic weapons could well be done."

The San Francisco Examiner, next day, ran this front-page headline: GOLDWATER'S PLAN TO USE VIET A-BOMB.

The Associated Press, which originally reported, also, that I had suggested A-bombing Vietnam, took the trouble to double-check its reporter found that the facts didn't back up his story and issued a correction. But who read the correction? Liberals always complain that corrections never do catch up with misstatements. Did they complain about this example? If I'd have held my breath waiting for them to do it, I'd be sea-blue by now.

Two of the most critical issues of the entire 1964 presidential campaign, as a matter of fact, hinged not on facts but on journalistic "extremism." During the primary campaigning in New Hampshire *The Concord Daily Monito* ran a headline saying, flatly, GOLDWATER SETS GOAL: ABOLISH SOCIAL SECURITY. There wa

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nothing in the story to support the headline. There was nothing in anything I had said to support the headline. It became, however, a banner for my opponents in a flurry of falsehoods from which I was never able to escape. (Ignored in this flurry was my public voting record in support of Social Security, my frequent statements that, specifically, the system cannot now be abolished, and my coincident concerns for all the voluntary forms of insurance upon which so many Americans must depend for security.)

That *The Concord Daily Monitor* should have taken the cake for misrepresenting does not mean that the rest of the press shouldn't step up to the table. Can anyone honestly say that he did not read a dozen repetitions of the Social Security distortion during the campaign? It was, in fact, commonplace. I have yet to hear many sighs of ethical concern about this in the journalism profession with its otherwise great concern for professional standards of objectivity.

Another issue that received similar treatment was control of nuclear weapons. In 1964, at Hartford, Conn., I held a press conference at which a question was asked on this subject. I answered, as I had suggested in an article for *Life* magazine, that more control over tactical nuclear weapons should be extended to the commander of NATO.

Yet the reporter present for *The Washington Post* reported the answer as being a suggestion that NATO *commanders* be given nuclear authority. My views on this could easily have been checked in my published works. But hundreds of other papers also went ahead with the same casual liberal disregard for objectivity, when it concerns a conservative, to repeat the misrepresentation until it was possible for editorialists and opponents alike, across the country, glibly to say that I wanted "every second lieutenant" to have an A-bomb. (At least two major publications, *Time* and *U.S. News & World Report,* proved later on, incidentally, that *the* commander of NATO has in fact been given tactical nuclear authority. The revelation did not shake, so far as I can observe, the consciences of most of those who had earlier reported my suggestion as one of alarming folly.)

Lest you get the idea that all this double-standard business is past history, let me refer to a few current examples of two-faced liberals at work. Hate literature? You remember how, during the period of mourning following the assassination of President Kennedy, even the Chief Justice of the United States referred to the climate of "hate" that breeds such violence. Liberals everywhere began to hate hate, so to speak. What about today, when many of them also dislike the incumbent President? The double standard goes to work. There is now in wide circulation a little booklet entitled *MacBird*—a play which uses *Macbeth* as its model. It is described as a political satire. And what does it have to say? It simply sets up a situation in which the character representing President Johnson plots the assassination of the character representing President Kennedy. And what does the author, one Barbara Garson, have to say about this "funny" idea? "It doesn't worry me if people think he killed Kennedy," she is quoted as saying. Do liberals rush to heap hate labels on her and her work? Not at all. The highly regarded liberal critic Dwight Macdonald calls it "the funniest" political satire he's read in years. *The New York Times* and *The Washington Post,* the fountainheads of liberal restraint, have glowed over it, and Yale's drama school has given the authoress a $5,000 fellowship! Sic Semper Hate!

Or, take an example that I read even while writing this. In his syndicated newspaper column of December 16, Joseph Alsop says that I support Richard Nixon as a Presidential candidate for 1968 "beyond any doubt at all, because he has indicated to Goldwater that, if nominated, he will adopt the 'Southern strategy' that Goldwater invented and still favors." He goes on to make it clear this strategy is a racist strategy. (By the way, Alsop invented the "Southern strategy" slogan.)

Joseph Alsop may not have any doubts; he also hasn't any facts. It is "beyond any doubt" flat dishonesty to say that Richard Nixon has indicated to me that he will follow any particular strategy if I support him. It is a flat misrepresentation and not true to say that I favor a racist strategy of any sort, in any section, for any excuse, under any circumstance. I reject it. I abhor it. I have never accepted it, and I have never permitted it. I am not a racist, Mr. Alsop, and you do every standard of objective truth, commentary, and reportage a disservice when you say that I am or that I favor a racist strategy, or that Mr. Nixon does.

But the double standard takes care of that. Mr. Alsop and his friends object to the smear technique only when applied to themselves or *their* friends.

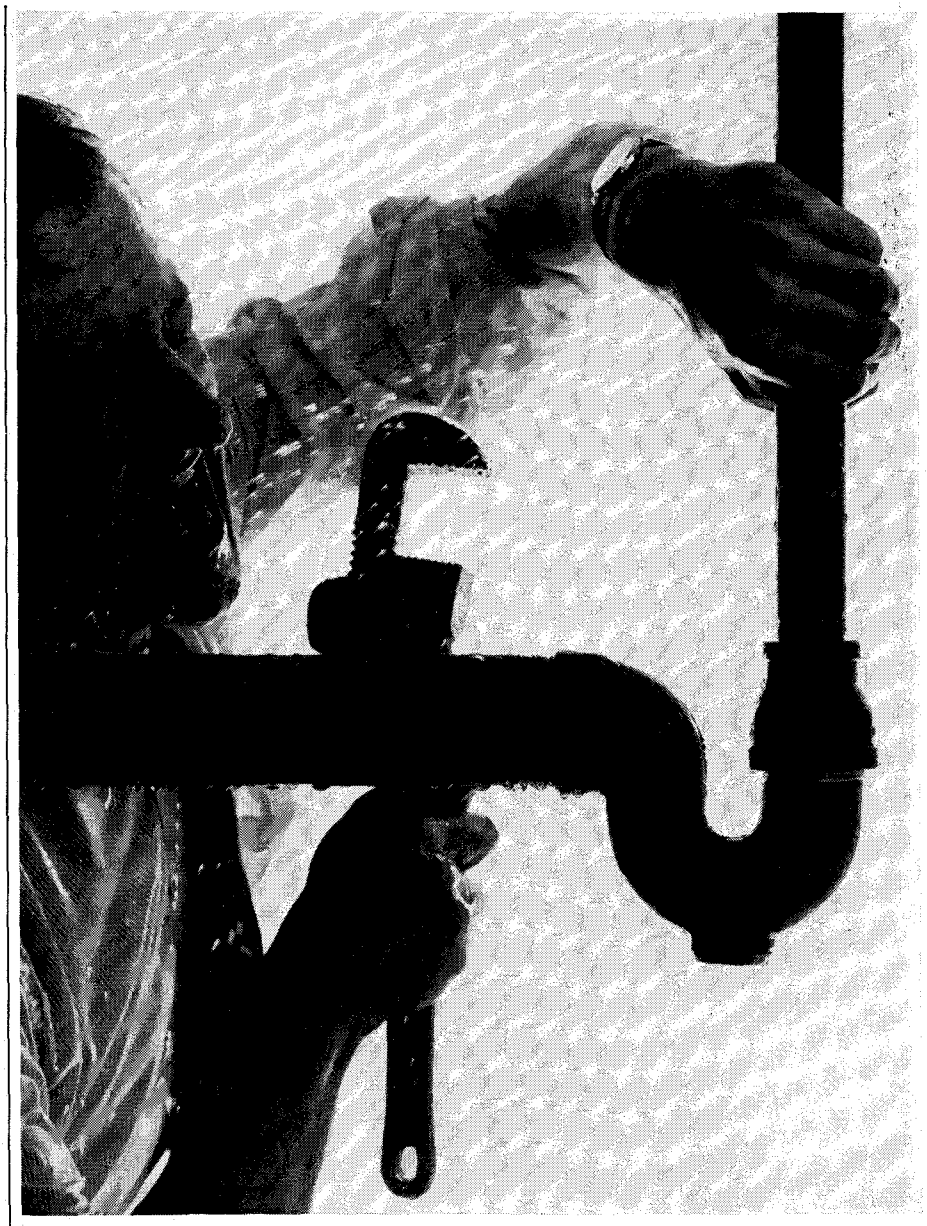
In not a single one of the examples mentioned would I argue for a moment against the right of the reporter to express whatever opinion of me he might have. Nor am I even arguing that a man should not have the right to distort the truth or even reverse it in an open society where a free exchange of ideas would provide a natural and effective antidote and counterbalance. At any rate, I would not argue that we should take any form of action that would give anyone the power to compel these men to behave differently.

My argument, which may seem more like a cry in the wilderness at this late date, is simply for every American to examine his premises and his standards when it comes to so-called facts and fairness. If it is a fact for liberals, it must also be a fact for conservatives.

I know that there are those on the right who have their own double standard of fairness, and I deplore that just as heartily. But there are frequent and ample outcries against that. There are safeguards aplenty. Not so with the double standards of the left. Liberals do not even seem aware that they *are* practicing a double standard, a two-faced fairness, a spread-eagle truth.

In short, I'm not looking for retraction or apology—just simple recognition of the facts and the useful, thoughtful reflection which we might expect to follow such a recognition. But I'm still not holding my breath waiting for it to happen.

Barry Goldwater



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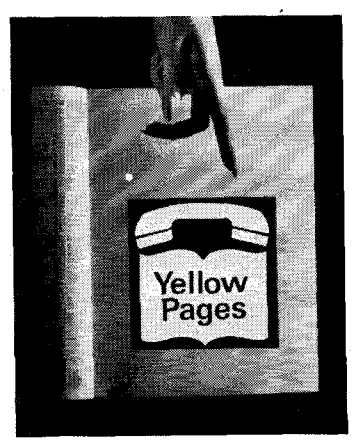

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■ Affairs of State, by Stewart Alsop

China–a smell of madness

WASHINGTON:

The professional China-watchers in Hong Kong study with agonizing care every scrap of evidence bearing on the mental and physical condition of Mao Tse-tung. For example, motion pictures of all telecasts from Peking are taken, and the frames showing Mao are enlarged and examined in the most minute detail. As a result of this sort of detective work, the China-watchers from the State Department and the CIA are convinced that something is very wrong with China's ruler. They suspect that Mao, at 73, suffers from some sort of circulatory trouble which intermittently interrupts the flow of blood to his brain.

"He will be moving and smiling with some animation, and then suddenly he will stop dead, and his face will go absolutely blank, like a zombie's," one China-watcher recently told this reporter in Hong Kong. Others believe that Mao is suffering from some progressive disease, probably cancer, which affects his speech—for many months he has not uttered more than a few words in public.

As for his mental state, the picture that emerges of Mao is of a sort of Chinese King Lear—a sick, increasingly irrational, unhappy old man; once an undoubted genius, failing now in body and mind, cut off from his old comrades save for a few sycophants, and filled, like Lear, with a terrible sense of betrayal; more even than most old, sick men, a prisoner of his past; and thus, as his old enemy Nikita Khrushchev said of him, "out of touch with reality."

There is, in short, a smell of near-madness about Mao, as there was about Lear ("O fool, I shall go mad"). But unlike Lear, Mao remains immensely powerful, the idolized ruler of the world's most populous nation, now armed with about 50 nuclear weapons. And the smell of near-madness that emanates from the pudgy, moon-faced figure of Mao Tse-tung emanates also from the nation he rules.

The deification of Mao has been carried to lengths undreamed of by Hitler or Stalin, and it produces all sorts of pathological symptoms. These seem at first glance more ludicrous than sinister, as pathological symptoms often do. Consider, for example, the following paragraph from the official English-language account of Mao's famous swim in the Yangtze, distributed by the Chinese propaganda center in Hong Kong: "Nieh Chang-sin, a swimmer from the militia of the Hankow Power Plant, became so excited when he saw Chairman Mao that he forgot he was in the water. Raising both hands, he shouted 'Long live Chairman Mao! Long live Chairman Mao!' While trying to leap up, he sank into the river and gulped several mouthfuls, but the water tasted especially sweet to him."

This nonsense arouses the suspicion of a sly and subversive sense of humor at work. But no, the China-watchers insist, it is meant to be taken—and is taken—with a breathless seriousness. The Chinese press is full of straight-faced accounts of athletes, well-diggers, and even night-soil carriers who, inspired by reading *The Thoughts of Mao Tse-tung*, win impossible victories, dig wells of incredible depth, and carry astonishing loads of night soil.

A small red booklet containing *The Thoughts of Mao Tse-tung* has been printed in China in the hundreds of millions. Read in translation, it turns out to be the most fatuous collection of inspirational clichés produced since the founder of this magazine wrote *Poor Richard's Almanack*. A few excerpts: "Unity, alertness, earnestness, and liveliness." "Study diligently, and make progress every day." "Be resolute, and unafraid of sacrifice; surmount every difficulty to win victory."

The whole book is like that, and yet it is treated in China as a sort of combination prayer book and magic amulet. The Japanese press carried the story of the final round between the Japanese and Chinese lady Ping-Pong champions. The Chinese lady won the first game, but lost the second. To prepare for the third and final game, she retired into a corner and spent 10 minutes in prayerful perusal of *The Thoughts of Mao Tse-tung*. Then she returned to the table—and lost.

It is tempting to dismiss this sort of thing with a snicker. But its unlaughable aspects are suggested by the real nature of the struggle between Mao Tse-tung and the "pragmatists" he is trying to purge. The whole story of the struggle is immensely complex. But all the China-watchers agree that it began to come to a crisis when the United States intervened in force in Vietnam early in 1965.

Mao had flatly predicted that the American "paper tiger" would never send troops to Vietnam. When the tiger showed its teeth, this was taken to mean that an American attack on China itself, probably in collusion with the Soviet Union, was imminent. On this point there was general agreement in the Communist high command. The split arose over what to do about it.

The "pragmatists," who included most of the old-line Communist Party bosses, notably President Liu Shao-chi, as well as some of the military, had long hankered to patch things up with the Soviets. Now they argued that a truce with the "modern revisionists" in Moscow was essential. If war was coming, the Soviets might help with the desperately needed modernization of the armed forces. And at the very least, the war would not have to be fought on two fronts.

Given the premise of a forthcoming American attack on China, these arguments were wholly rational. But they infuriated Mao, for they amounted to a repudiation of his basic policies—and a god cannot be wrong. Mao insisted that the attack on the "modern revisionists" be pressed with more venom than ever. When the party leaders successfully resisted his demands, Mao adopted an unprecedented tactic. With the backing of the political general, Lin Piao, and other sycophants in the armed forces, Mao unleashed the Red Guards against his own creation, the Communist Party apparatus.

The conflict is thus, in a sense, a conflict between the rational and the irrational. This raises an obvious question. The China-watchers believe that if the "pragmatists" took power they would move cautiously toward an understanding with the Soviets, while no doubt remaining relentlessly hostile to the United States. Is it not then in our interest that the irrational Mao remain in power?

"In the long run," said one highly intelligent China-watcher, when asked this question, "it would be very much in our interest to see Mao's regime brought down. The men who oppose Mao are certainly hostile to the United States, but like the Soviet rulers, they are rational men. There can be no greater danger than an implacable enemy who has nuclear weapons and the means for delivering them, and who is also irrational. And Mao is clearly irrational."

Stewart Alsop

Mao Tse-tung and Gen. Lin Piao

Liu Shao-chi

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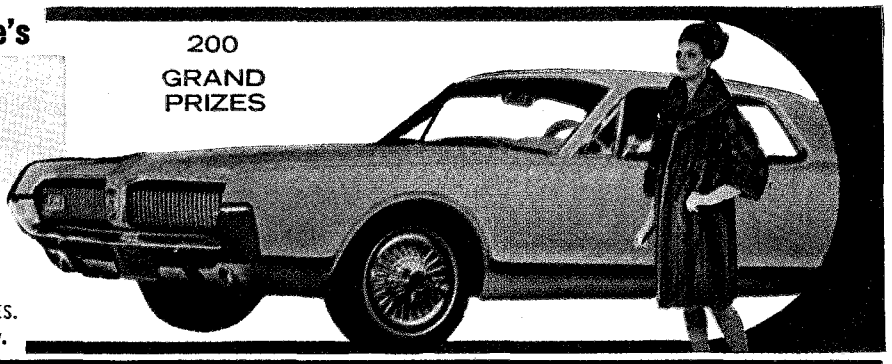
You may have already WON in The Longines Symphonette's

GOLDEN COUGAR Sweepstakes



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24 of your favorite Hoagy Carmichael songs and melodies . . .

in thrilling new performances on two superb "Gold Medal" quality, 12" purest vinyl records! This deluxe set might sell for up to $11.90 if it were available in the finest record stores! It is your FREE gift as a demonstration of the exciting idea behind The American Music Makers Program—an outstanding service from The Longines Symphonette! You'll thrill to songs like "Stardust" . . . "Georgia On My Mind" . . . "Ole Buttermilk Sky" . "Mr. Bluebird" . . . "The Nearness Of You" . . . and 19 other hits by the man they call "Mr. Stardust". These are the songs that stir precious memories of people and events! The kind of music and sweeping, emotional arrangements you prefer . . . and a perfect sampling of the benefits of the no-obligation American Music Makers Program! You keep your FREE two-record set even if you do not accept membership!

Now . . . Build a Library of America's Most Popular Songs

The American Music Makers Program brings you the best music of such American songwriters as Cole Porter . . . George Gershwin . . . Irving Berlin . . . Richard Rodgers . . . Jerome Kern . . . in every-other-month releases. Each selection is a two-record Treasury of the Greatest American Popular Songs performed by the virtuoso Longines Symphonette and the famed Singing Choraliers. Brand new arrangements, fresh recordings, new performances matched into a complete set. It's just like building a library of the best, most nostalgic music ever to be written!

NO OBLIGATION TO BUY ANY RECORDS . . . CANCEL YOUR MEMBERSHIP AT ANY TIME!

You preview each new two-record Treasury as it is released by The American Music Makers Program (one new, two-record set every other month). You may return it and owe nothing . . . or send just $4.95 (plus modest postage-handling cost) in full payment! Cancel your membership at any time simply by writing us! No strings attached—no contracts to buy anything! The American Music Makers Program is different and better than ordinary "clubs"! But—mail the card or coupon today to get your FREE two-record Hoagy Carmichael Treasury . . . and to find out if you HAVE ALREADY WON a Mercury Cougar in the all new, Longines Symphonette "Golden Cougar" Sweepstakes! Along with your FREE Hoagy Carmichael Treasury, you get for a FREE 10-day examination, A GEORGE GERSHWIN FESTIVAL, your first selection in The American Music Makers Program! Act at once!—memberships are limited!

A few of the 24 memorable Hoagy Carmichael songs and melodies . . . yours to keep FREE!

Stardust	Heart And Soul	Lazy Bones
Lazy River	In The Cool, Cool, Cool Of The Evening	Small Fry
Skylark	I Get Along Without You Very Well	The Nearness Of You
Lamp Lighter's Serenade	Doctor, Lawyer, Indian Chief	I Met Him In Paris
Ole Buttermilk Sky	Two Sleepy People	Blue Orchids

Releases planned for American Music Makers Program

RICHARD RODGERS	JEROME KERN	GEORGE GERSHWIN	IRVING BERLIN	COLE PORTER
My Funny Valentine; Falling In Love With Love; It Might As Well Be Spring; Bali Hai . . . and more.	They Didn't Believe Me; I Won't Dance; All The Things You Are; All Through The Day.	Love Is Here To Stay; It Ain't Necessarily So; Summertime; Love Walked In; Shall We Dance.	"Always", Easter Parade", "All Alone", "Be Careful It's My Heart" . . . and more.	From This Moment On; It's Delovely; My Heart Belongs To Daddy; I Concentrate On You.

MAIL POSTAGE-PAID CARD OR COUPON TODAY!

The Longines Symphonette Society
AMERICAN MUSIC MAKERS PROGRAM
Symphonette Square • Larchmont, N. Y. 10538

☐ Yes—send me my FREE two-record Treasury and reserve a charter membership in THE AMERICAN MUSIC MAKERS PROGRAM. Also send my first release, "A George Gershwin Festival" to play again and again for 10 days FREE. I will return "George Gershwin" and owe nothing . . . or send just $4.95 (plus modest postage-handling cost). I keep the FREE two-record Treasury, "Hoagy Carmichael Festival," in any event. Thereafter, I will receive a new two-record Treasury every two months to hear FREE for 10 days. I may cancel membership at anytime.

☐ **CHECK HERE FOR STEREO**—Only 50¢ additional for each Two-record Stereo Set you accept.

Name _____
(Please Print)

Address _____

City _____ State _____ Zip _____ 02691-141

☐ No—do not send FREE Treasury, but let me know if I have already won. I have copied the number from the postage-paid card bound in this magazine:

Number _____
(Please print carefully) 02691-141

How sweepstakes works . . . The Longines Symphonette has reserved the described gifts for holders of lucky numbers, selected by electronic computers under the direction of the D. L. Blair Corporation. Each Lucky Number coupon submitted by an adult 21 years or older will be checked against the official list of winning numbers. Employees of The Longines Symphonette and its affiliates, or of this magazine or persons less than 21 years of age, shall not be eligible. Your entry must list the official lucky number, and must be checked YES or NO. ("NO" entries may be pasted on post-paid bind-in card.) Entries must be received by January 4, 1968. This sweepstakes is subject to all Federal, State and Local regulations. Prize winners will be notified by mail. If you send a self addressed stamped envelope a representative list of prize winners will be sent to you.

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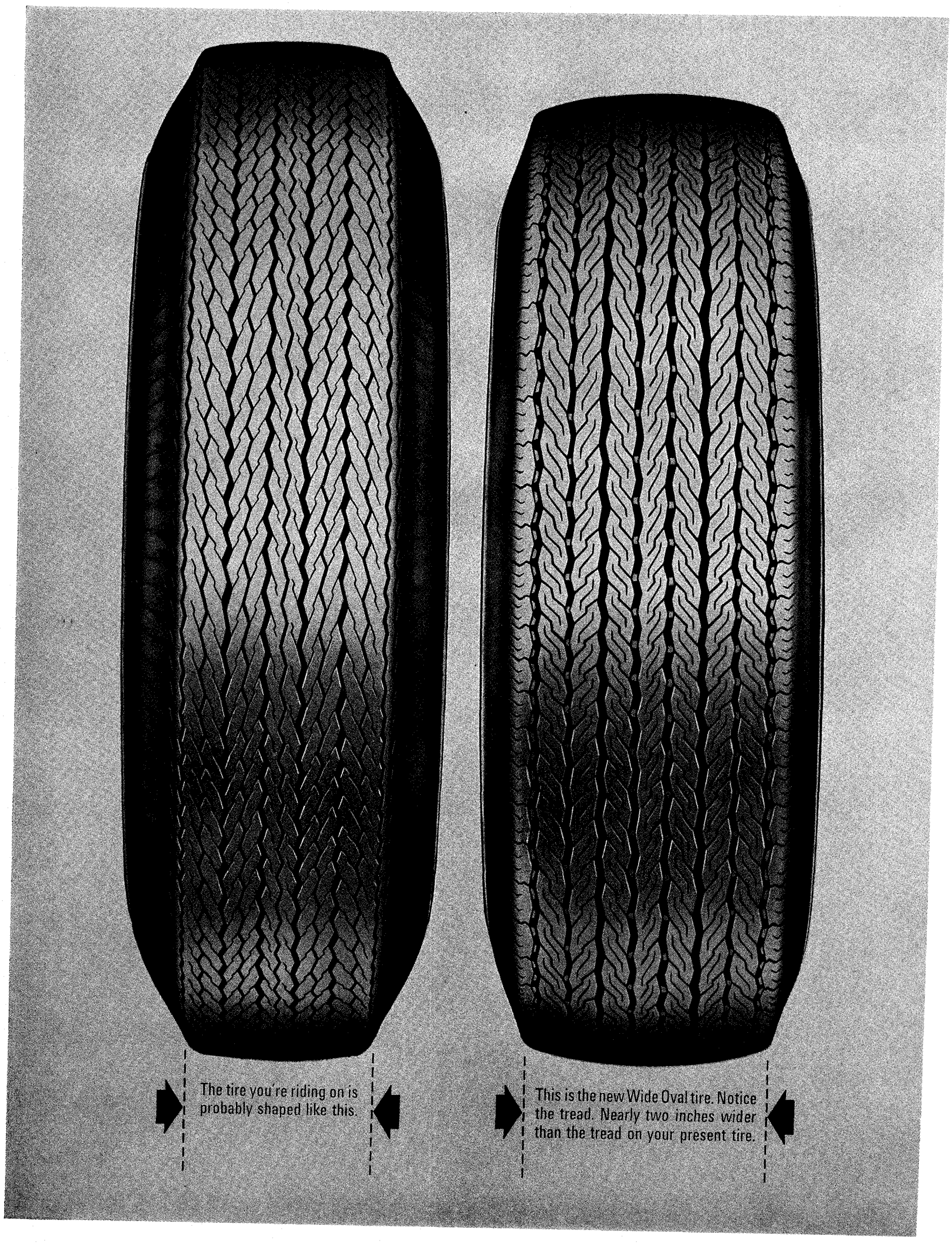
The tire you're riding on is probably shaped like this.
This is the new Wide Oval tire. Notice the tread. Nearly two inches wider than the tread on your present tire.

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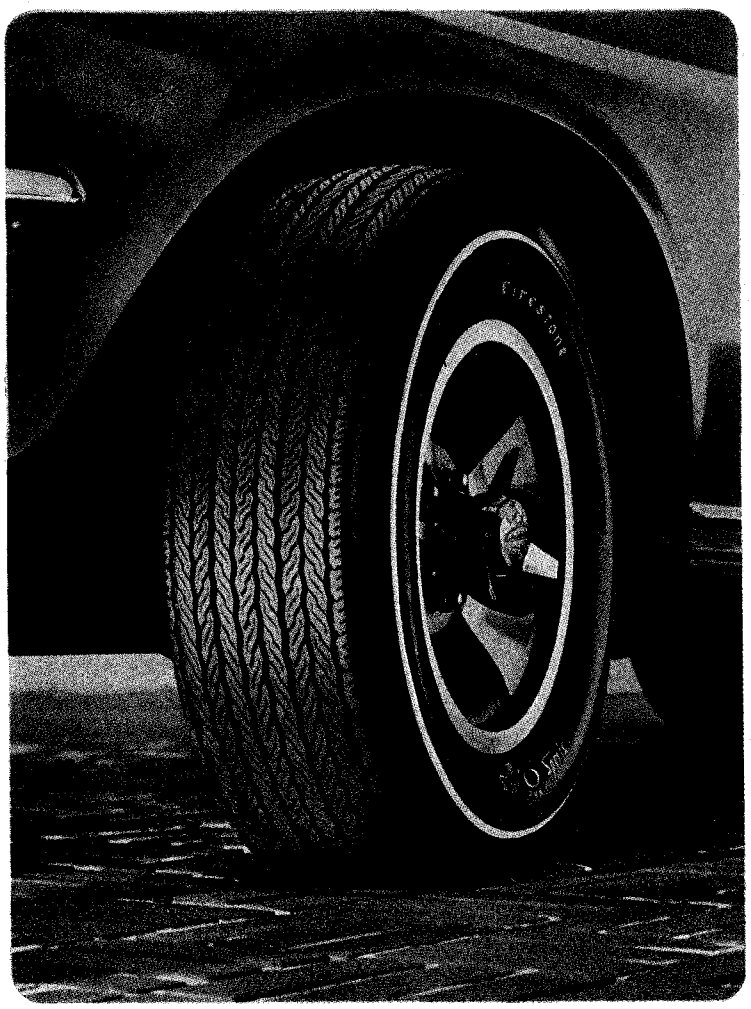
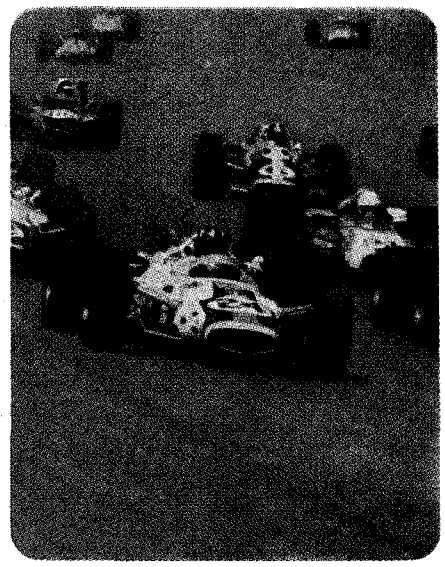
The tire shape of the future–a new concept of tire safety.

The New Super Sports
WIDE OVAL TIRE





Built wide like a race tire.
To grip better. Corner easier.
Run cooler. Stop quicker.

It's not what we get out of racing. It's what *you* get.

The new Super Sports Wide Oval tire. Safest tire we've ever built. Actually developed out of our racing research.

It's a passenger-car tire, but built wide. Nearly two inches wider than your present tire. To start faster. Corner easier. Run cooler. Stop quicker. 25% quicker.

It even takes less horsepower to move than ordinary tires.

The new 1967 high-performance cars are on Firestone Wide Oval tires. You can get them for your present car at any Firestone Dealer or Store.

The Super Sports Wide Oval. Another first in tire safety engineering—from Firestone.

Wide Oval–Firestone TM

Firestone

Your safety is our business

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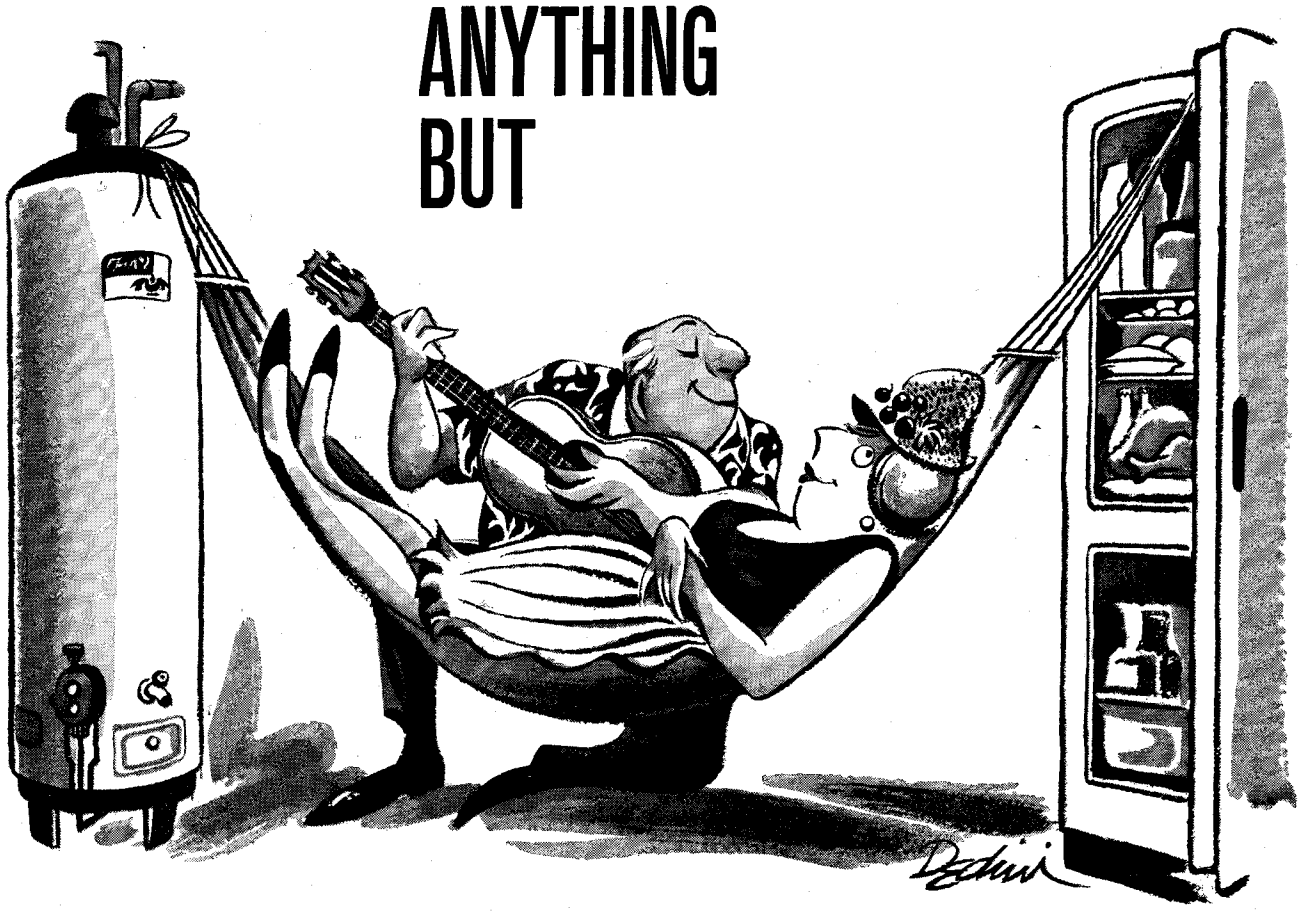
I CAN'T GIVE YOU ANYTHING BUT



By William K. Zinsser

I'll never forget when I gave my wife her first electric water heater. It was our 10th wedding anniversary, and right after breakfast I took her and the children down to the cellar. There it was, gleaming like a diamond, a round white tank with a big red heart hand-painted on the side. My wife gasped with ecstasy—she later told me she had never dreamed of getting anything quite that wonderful—and her eyes filled with tears.

"Oh, darling!" she exclaimed. "You must really love me."

Since then I've seen a full-page advertisement depicting almost the same situation, and I can only conclude that the people who took the ad—the Edison Electric Institute—heard about what I had done. After all, it's hard to keep that kind of gift a secret in a tight little community like ours. Word quickly went around, and the other wives were terribly jealous.

"He could have given her a few emeralds," said Midge Brady, our neighbor. "Or a string of pearls, or something."

"Yes, but he didn't," said Nan Watson. "That's the beauty part."

"He must really love her very much," Midge said.

Many an anniversary has come and gone since then, and I pride myself that each year I have found a gift which truly expresses the warmth and the great fun of married love. On our 12th, for instance, it was a life-insurance policy that I had bought in response to an ad saying that there was no greater proof of a husband's devotion.

"Here," I said to my wife, handing her the certificate at breakfast. "If anything happens to me, just call Charley Potts down at Amalgamated Underwriters. He'll take care of you."

"Uncle Charley?" squealed the kids. "Oh boy!"

"Your daddy loves me very much," their mother explained.

Sometimes it's hard to tell, as the anniversaries come and go, whether I am subconsciously borrowing my gift ideas from the magazine ads, or whether it's just that Madison Avenue and I are on the same wave length, attuned to the emotional currents of the day. At any rate, I can't help feeling that I am America's typical married adult, the national image of grown-up love come true. I am what happens to each of us when we say "I do" and all silly romance stops.

Not for us is that other kind of "love," that flashy thing which happens in song and story, in movies and on TV—the handholding and the kisses, the boat rides on moonlit lakes and the little dinners in candlelit inns. Not for our wives that tedious bombardment with flowers and candy and lingerie and perfume. Why would any woman want a few ounces of perfume when she can get a present that really shouts her husband's love—a portable vacuum cleaner, say, or an extension telephone that will save her legs? Our wives don't want a lot of shallow compliments about how beautiful their legs are. We wouldn't know anyway—when we married men think of our wives' legs, we think in structural terms.

"How can I save those legs?" I often muse as my wife walks across the living room. And just last Christmas I had the inspired idea of giving her a refrigerator that offered more "food storage flexibility."

"Gosh, that means fewer trips to the supermarket," she said. "What a saving on my legs!"

"I love you, that's all," I said. It was a joyful moment, and I was reminded of it last week when I saw an advertisement of the American Gas Association that has a wife almost as happy as mine was on Christmas morning. She is rapturous over her new gas oven, and she's saying, "I practiced the frug while my roast roasted itself." You can tell that she adores her husband for making it so much fun to stay home (that's where she is practicing the frug) and fix the evening meal. He could have said, "Let's go out for dinner and see a show and maybe drop in at Cheetah and do the frug." But he didn't. That was the beauty part.

Of course I don't want to give the impression that we married people are such sticks-in-the-mud that all we do is hang around the house and express our love through appliances. We travel, too—just like the married people in the ads. Oh, we don't go flying off to Acapulco or Aspen for skiing or surfing or skin diving. We go on cruises (I am that quiet-looking gray-haired man, my wife is the lady with fruit on her hat), and we have had wonderful times getting together around a table at night with the other married couples to blow a Ping Pong ball back and forth.

Sometimes, though, we vary the routine and visit a particular country. Countries like Portugal, for instance, not too high-pressure but with a definite old-world charm. I remember last summer we were sitting at a sidewalk café in a village in Europe—a delightfully sleepy little place with cobbled streets and horses that wear tassels. We were drinking the local prune wine that comes in a stone bottle and listening to the old men playing the traditional folk songs on their zithers.

"Aren't you glad we're not in London," I said to my wife, "getting run over by a lot of Mods? Or on the Riviera or in Rome or Hong Kong?

"Mmmm," she purred. "Or Nassau or Cozumel."

"Or Punta del Este," I said. "Or Marrakech."

"That's kid stuff. For bachelors and single girls."

"They don't know what they're missing," I said. The men with the zithers had just begun to sing the centuries-old grape chant.

"Their love will grow," she said, "and then they'll understand." She reached over and gave my hand a grateful squeeze. "You really have to love your wife to take her to Luxembourg."

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Sun Upmanship.

Lesson Two:

Know that sweet, flowery after-shave George uses?

Tell him: "Boy, I won't have a chance with Helen if you wear enough of that stuff."

He'll wear so much of that stuff bees will follow him.

Now you put on Gillette's new Sun Up after-shave—with that masculine scent.

Make a date with Helen. And invite George along. Now picture the three of you:

George, smelling like the flowers that bloom in the spring, tra la.

You, smelling like a lot of man.

Helen, wondering how to get George out of the house.

Sun Up After Shave and Cologne. From one dollar.

"George, I feel a headache coming on. Would you mind running down to the drugstore?"

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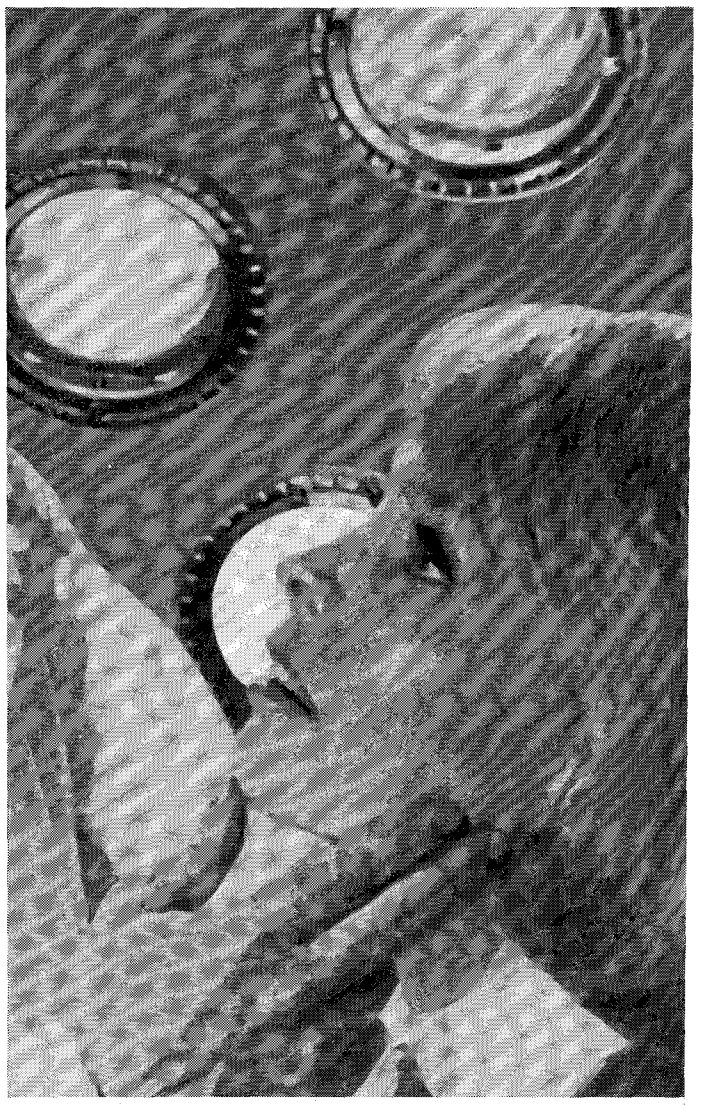
At last!
A Plastic Surgeon's Cosmetic—
That Protects Your Face Against the Unnecessary Ravages of Time!

This article may startle you. It may seem, at first glance, almost unbelievable. Because it tells you the story of one of America's leading plastic surgeons—WHO TREATS MANY OF HIS OWN PATIENTS' BEAUTY PROBLEMS WITHOUT SURGERY AT ALL.



Medical ethics, of course, prevent us from mentioning this internationally-famous physician's name in this advertisement. However, we can say this: He has treated literally *hundreds* of the most beautiful women on earth—to prevent their careers and happiness from being ruined by the ravages that time can cause to the unprotected face.

A Doctor's Own "Cosmetic"—Now Available To You for the First Time

Among these women were some of the world's most famous movie and television stars, society leaders, even royalty. You would recognize their names in an instant. *And if you have ever asked yourself how these women's skin can stay so incredibly "young" when you know that many of them will never see fifty again—then simply remember this:*

These women also have a beauty secret that you never dreamed existed until today. This unique treatment consists of two specialized formulas:

First, every night, for one exhilarating moment before they go to bed, *the first of these treatments protects their faces against the unnecessary ravages of time.*

Second, every morning before they set foot outside their homes, *the second of these treatments protects their faces against the merciless damage that sun, wind and dirt would do if their skin was exposed without this extraordinary protection*—even if they otherwise had a layer of make-up a quarter of an inch thick on that skin.

Yes, the one great difference between the beauty and youth and smoothness of these women's skin, and the thousands of women of the same age who are turning older and older every day right alongside them, *is simply this:*

An invisible layer of biologically formulated cream—only one-one-thousandth of an inch thick—that was completely unknown to you only five short minutes ago. And that is now available to you, to continuously treat your face and your skin, for one full month without your risking a penny.

Here's what it can do for you, in that very first month alone:

Each Jar Dated and Registered and sent to you same day order is received

First of all, the only resemblance between this Home Beauty Treatment and ordinary cosmetics is this: It comes to you in the form of a cream, and it is packaged in a jar. *Otherwise—outside of packaging—there is no similarity to ordinary cosmetics.*

This fact is proven to you the very first instant you receive the treatment. Simply open one of the jars. Hold it up to your face and inhale the delicious odor inside. Let your fingers caress the silken smoothness of the cream. And then take a tiny dab of that cream on one finger, and actually *taste it.*

What you are experiencing, for the first time in your life, is a NATURAL cosmetic. *A cosmetic filled to the brim with some of the best NATURAL BEAUTIFIERS so far discovered by the mind of man.*

Yes, NATURAL beautifiers—Nature's own normal components—to help prevent at last the needless drain of strength and moisture that is today cracking and collapsing your skin as surely as you can hear the tick of a clock.

For example:

NATURAL OILS. Not mineral oil, but natural poly-unsaturated oils that do not fight the skin but blend right into it. That leave no greasy film on its surface to pick up dirt. *That spread out invisibly over your entire face to attract and hold moisture like thousands of tiny natural magnets.*

And that sink right into those terrible "desert lines" that have been etching themselves faster and faster around your eyes, lips, brow and chin—to help fade away their ugliness as though Nature itself had attacked them with an invisible eraser.

But this is merely the beginning. Now this magic treatment begins the second stage of its work—*below* the surface of your skin.

As Your Friends Age Before Your Very Eyes, You Seem to Have Made Time Stand Still

As every doctor knows, your skin grows old in, not one, but in several separate ways. For example, just as parched skin *cracks* on the surface, so will under-nourished skin *collapse* beneath the surface.

It is this tendency of aging skin to collapse—to create folds, lines and wrinkles as a result of daily exposure, improper care and drying out—that this cream now attacks.

It does this—once again—not in man's way, but in Nature's. It uses NATURAL PROTEINS—the natural building blocks of everybody—*to help activate the skin's own nourishing process. So that it smoothes out before your very eyes with satin-silk moisture, the skin that you can FEEL growing stronger every day.*

Special Combination Offer!

If you wish to make dry skin obsolete, on every inch of your body, then try this completely different kind of oil.

Another discovery by this world-famous plastic-surgeon. Probably the most luxurious body oil you have ever revelled in. Rushed to you the same day to keep it working at all potency. Use it after each bath or shower. Feel how it turns even the dryest skin silky-soft. How it keeps even elbows and ankles soft, supple, invitingly young. Delicately-fragrant—you'll notice the change after a single treatment; your husband will marvel at your touch the very first week.

Again, yours to try at our risk. Only $4.98 for the large, three-month size. Send for it, with the face-cream treatment—today.

And, in as little as one short month from today, when your friends stop you on the street and beg you to tell them the secret . . . when you suddenly look up some morning from your pillow and find your husband studying your face in admiration and wonder . . . when you're introduced to new acquaintances at a party and find it's *impossible* for them to guess your real age—*then you will realize the incredible difference it makes when you use a doctor's cosmetic.*

Save Half If You Act Today—

Again, there is only one place on earth where you can find this wonder-working cosmetic—in the scientific laboratories where it is prepared under this doctor's supervision.

Because of its natural ingredients, this new cosmetic is not sold through the normal distribution channels. It can be purchased in no store in Americ
It can be obtained only through t
advertisement; and every order
ceived will be dated and registere
and shipped to you the same day t
order is received.

When this cosmetic was custo
blended, as though it were a prescr
tion, it was extravagantly expensi
Now, however, because it can be ma
available to women all over Ameri
it is yours for only $9.98 complete,
the generous, two-jar, three-mo
supply of day and of night creams.

But you pay for this cosmetic o
after you have seen its wonder-work
results on your own skin. You try it
one month entirely at our risk. If y
are not amazed and delighted—i
does not work a change on your fa
in that very first month alone, that
cause your friends to talk about no
ing else—then simply return the
used portion for every cent of yo
purchase price back immediately.

Why not try it—today . . .

—MAIL NO-RISK COUPON TODAY—

YOUTH COSMETICS, INC., Dept. SEP—17

119 Fifth Avenue, New York, New York 10003

Yes, I want to try your amazing new cosmetic, entirely at your risk. I am enclosing only the low introductory price checked below. I understand that this cosmetic will be rushed to me the same day the order is received . . . that I may try it for one full month entirely at your risk . . . that if I am not delighted in every way I may simply return the unused portion to you for every cent of my money back.

☐ Check here for the generous, two-jar, ninety-day supply of day and night creams. Only $9.98 complete.

☐ Check here for the special combination-offer body oil. Again, a ninety-day size for only $4.98. Both creams plus the oil are yours for only $14.96 complete.

☐ If you wish your order sent C.O.D. CHECK HERE! Enclose $1 good will deposit. Pay postman balance plus postage and handling charges. Same money back guarantee, of course!

Name_____
(Please Print)

Address_____

City_____ State_____ Zip_____

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YOUTH COSMETICS, INC. 119 FIFTH AVENUE, NEW YORK, N.Y. 10(

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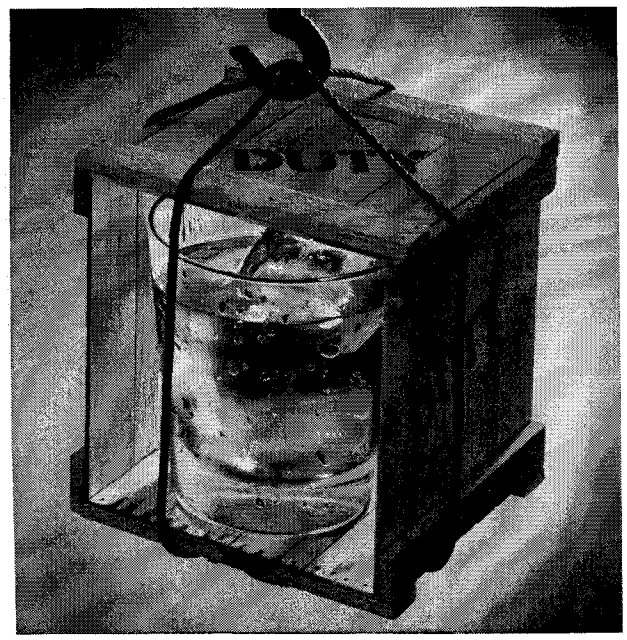
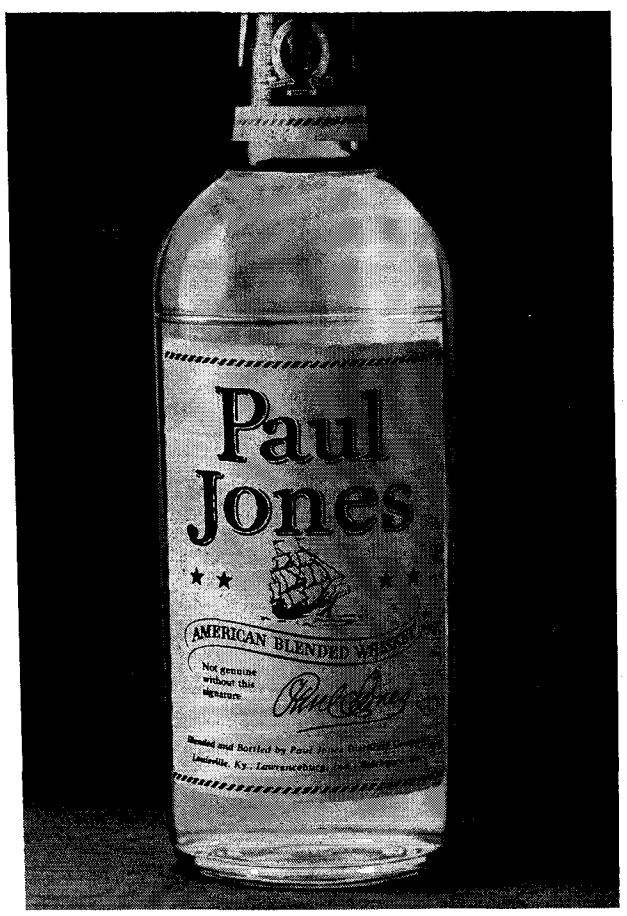
"If Paul Jones is so light, they must be making it outside the States now. So how come it doesn't cost more?"





Our Paul Jones is still being made in places as All-American as Kentucky and Maryland, where many of the world's best whiskeys are born and brought up. No import duties or over-the-border shipping charges ever add a penny to our price. So Paul Jones costs about half as much as some imports.

Yet Paul Jones is every bit as light as any imported whiskey—in the bottle, in the blend, and all the way down. It's so light, veteran whiskey men call it Blond. For all its lightness, though, Paul Jones is full-strength whiskey. With power enough to satisfy any man. For the light whiskey at the light price, there's no place like home.

$3.66
4/5 Qt.

CODE #119B

Paul Jones America's Lightest Whiskey · Full-strength, but doesn't come on strong.

enfield Importers, Ltd., N.Y.C. Blended whiskey 80 proof—72½% Grain Neutral Spirits.

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CHEVROLET

GM
MARK OF EXCELLENCE

BODY by FISHER

Get that sure feeling from Chevrolet

You'll find this unbeatable combination on only one make of car. These three symbols represent the combined imagination and dedication that have made Chevrolet the make more people depend on—year after year. And this sure feeling of Chevrolet leadership comes on even stronger for '67.

As part of a new quality-conditioning program, for instance, every car Chevrolet builds gets a sparkling wax beauty treatment before it leaves our hands. (Ever hear of any manufacturer doing that before?) Every Chevrolet, Chevelle, Chevy II, Corvair and Camaro also comes to you with the superior craftsmanship of Body by Fisher evident right down to the last sheet metal weld and fabric seam. And with new safety features like the GM-developed energy-absorbing steering column (first in the industry), dual master cylinder brake system with warning light, 4-way hazard warning flasher and passenger-guard door locks on all doors.

Have a look soon at your Chevrolet dealer's. For sure. CHEVROLET

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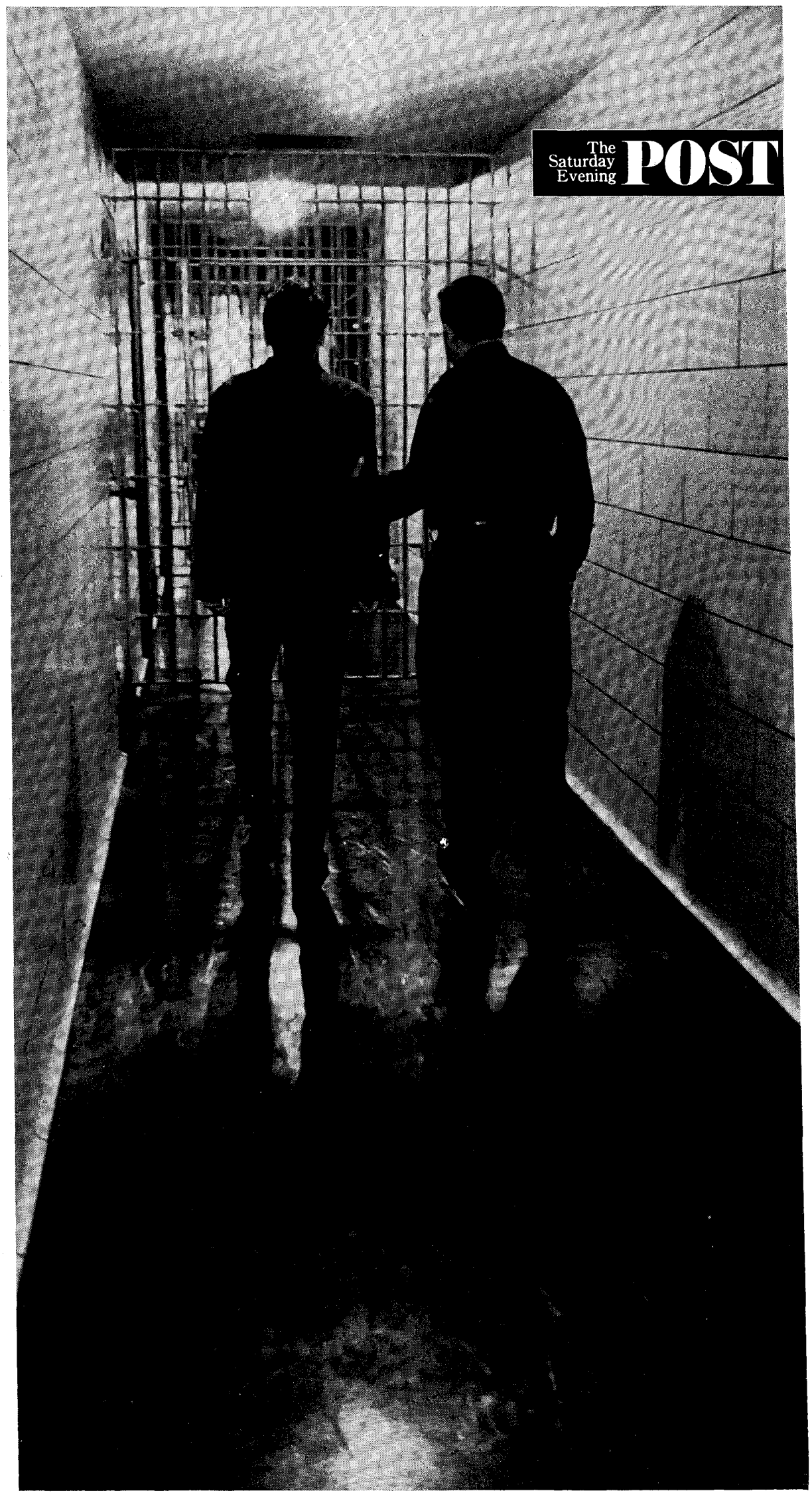
THE CRIMINAL AND THE LAW



Recent Supreme Court rulings have challenged our way of handling criminals, and a major new report to the President is shedding some long-overdue light on the subject. Here is the story of what really happens to a suspected felon from the moment of his arrest.

BY MARTIN MAYER

While you are reading these words, give or take a few days, President Johnson is reading a fat document on the same subject: the report of his Commission on Law Enforcement and Administration of Justice, which is due on his desk about now. He will admire the report, but he won't like what he reads; and neither will you. For the American way of dealing with crime and the people accused of crime is an unholy and inexcusable mess. Even those who disagree with what the Supreme Court has been trying to do about the mess—and most lawyers and judges, plus all policemen, *do* disagree with the Court—can't find much to say for the system as it works today.

We don't even know how bad it is. We don't know how many crimes there are (the FBI

This article has been adapted from a book, 'Lawyers and Laws', which Mr. Mayer is now completing, for publication in August.

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'The system of criminal justice is largely invisible because we have no contact with it.'

Uniform Crime Reports depend on a lot of guesswork by the police and don't cover the whole country). We don't know how many people are arrested. The courts in all but a handful of states don't keep good enough records to tell us how many people are formally charged with crime each year—the best guess, after eliminating the speeders, drunks, prostitutes, gamblers and shoplifters, is about 700,000, more than half of them juveniles. We don't have the vaguest notion of what the courts do with the juveniles; that's kept secret by law. Of the grown-ups accused in court, we *think* about two thirds plead guilty.

A team of investigators from the University of Chicago, who worked for a year putting together the information, estimates that a decade ago there were about 55,000 jury trials in the country. Some of those jury trials were for offenses not many people would call "crimes"—among the jury trials turned up by the Chicago professors was one for installing a kitchen appliance without a license and another for illegally keeping a mud turtle. In some of the Southern and Western states you're entitled to a jury trial before you can be fined for being drunk and disorderly. Probably about 40,000 of the jury trials deal with real crimes, which means that only about one eighth of the adults who are charged even ask for that "due process of law" which is supposed to be the glory of the American legal system. In the big cities, where the big problems are, the proportion is much lower—in Manhattan only three percent of the felony indictments (the most serious crimes) lead to jury trials; and for misdemeanors (the less serious crimes), New York doesn't have jury trials at all.

We think—again, we don't know—that about 70 percent of those who stand trial are convicted by a jury. What happens to the 225,000 or so who plead guilty and the 25,000 or so who are convicted after trial is another mystery. Apparently, about 140,000 a year go to prison. Most of them have been in the jug before; nobody knows what proportion of the nation's crimes are committed by people who are already experienced at crime, but there's no question that the police keep catching the same criminals. The criminologists believe that about two thirds of the people sent to prison for the first time dislike the experience enough to go straight later, while one third become recruits to the large and growing cadre of habitual criminals.

The reason we don't know much is that for all our talk about crime and criminals, we really don't care. "To us," Nicholas deB. Katzenbach wrote in the *American Bar Association Journal* shortly before his resignation as Attorney General, "the system of criminal justice is largely invisible because we have no contact with it." We hire policemen and prosecuting attorneys and judges, and ask them to "stop" crime and to punish what they can't stop. Most of the people involved in the system are involved in it every day, and it looks more or less all right to them because they're used to it; anyway, they're so busy taking care of today's problems that they can't take much time to wonder what finally happened to yesterday's.

About the only people who must visit the criminal justice system but don't live there are the judges in the courts of appeals, who occasionally review some of the convictions in the relatively few jury trials. Recently, a number of these judges, especially (but not exclusively) those on the Supreme Court, have become increasingly disturbed by what they see when they visit. In a series of opinions over the last 10 years, the Supreme Court has insisted that defendants are entitled to help from lawyers both before and after trial, that the D.A. may not use against them evidence illegally seized by the police, and that juries may not hear confessions wheedled out of suspects during interrogations in station-house back rooms.

How much difference these rulings will make, nobody knows. The courts never see anything but the part of the iceberg that shows—and the Supreme Court sees only a tiny ragged edge of that, because it's only the hard cases that come for final appeal to Washington. Angry opponents of the Court's decisions can point to some dozens (perhaps hundreds) of undoubted thieves, murderers and rapists who have had to be released because their recent convictions—or the cases being prepared against them—had been based on evidence that the police gathered in ways the Court no longer permits. But these defeats for justice—and it should be remembered that justice is defeated when a guilty man goes free as well as when an innocent man is convicted—may be merely a temporary result of changing the rules in the middle of the game.

"The cases that bug people are those that are already in the works," says Richard A. Green, director of the American Bar Association project on minimum standards for criminal justice. He is a large round-faced younger lawyer and one of very few to come out of a first-rate education (Harvard College and Law School) into work in the criminal courts. "A ruling comes down, and the evidence has to be excluded, and a confessed murderer has to go free. Like that boy up in Yonkers who admitted setting fire to the community center: He's free. But once they get used to the new rules, the police will make sure that murderers don't go free."

Meanwhile, the system chugs along, not as yet greatly changed from what it was before the Supreme Court made headlines last summer.

To understand why the Court wants to change today's system, and why it will be hard to change, you have to look at the system fairly closely. About the best place to start is New York's Part 1-A, a Manhattan courtroom which since January 11 has been on a "we-never-close" basis, seven days a week, to give everybody a little more time to process the business.

Part 1-A is an arraignment court—a court to which prisoners are brought by the police who have arrested them, so that a judge may learn the charge the State expects to prove, hear the prospective defendant's lawyer if there is one and assign one if there isn't, set or deny bail or release with orders to return on a certain day.

The court is a large, squarish room with a high ceiling. The walls are wood-paneled to a height of about seven feet; dark fixtures hang down from the geometrically ornamented ceiling and give an even, just-bright-enough light, not influenced by what comes through the dirty northern windows, which face another wing of the building. Before January 11, suspected felons passed through 1-A at the rate of one every five minutes; now there will be 10 minutes or so for each case. Most cases are adjourned for one reason or another; a few are disposed of; a few are assigned to trial.

The courtroom has four entrances. At the rear, a pair of heavy doors covered in leather swing soundlessly into the center aisle of a public area, full of long, dark-wood benches, which occupies about three quarters of the room. The public end is separated from the business end by a hip-high, dark-wood barrier. Into the working part of the court open three small doors, one at the spectators' left for the lawyers and court attendants and two straight ahead. One of these leads to the judge's chambers and one to the shallow pens where suspects, eight or nine to a cell, await their moment in court. Lawyers interview their clients, often for the first time, through the bars.

Both parts of the courtroom seethe with humanity. In the public area sit several hundred people—those of the accused felons who are out on bail or "on recognizance," their friends and families, complaining witnesses, some policemen, some lawyers. There is a great deal of motion along the rows of seats and up and down the center and both the side aisles. A buzz rises from the area, though many, perhaps most, sit dumbly and incuriously. People are not allowed to read in courtrooms, and the proceedings up front are only partly audible—and rarely comprehensible—in the rear.

Judge Simon Silver, looking quite small, as judges usually do in black robes, sits on a chair behind a very long desk on a platform raised perhaps 18 inches off the courtroom floor. Behind him are flags and a gilded motto: N GOD WE TRUST (the "I" had fallen off). Below the judge, at a long table, sit assorted clerks and probation officers. Over by the lawyers' door is a small desk and some chairs for the young Legal Aid lawyers, three or four of them, who will represent about three fifths of the defendants. Backed against the wooden barrier is a sometimes empty, sometimes crowded row of wooden armchairs, for the individually retained lawyers. On the wall at the spectators' right are more chairs for policemen, chatting, lounging, waiting to lead their catch to the bar. The Assistant District Attorney, a very young lawyer with protruding eyes and a glum expression, stands at a lectern before the judge's platform. In dead center, facing the public area, a uniformed policeman, known in the lingo of the court as "the bridgeman," pulls a folder from the clerk's table and calls out in a stentorian voice:

"Docket Numbers Twelve Hundred Fifty and Fifty-One, Defendants Michael and Mary . . ."

A young couple comes from the public area to the railing before the bridgeman. They are accompanied by a policeman, who talks to the D.A.

"Do you waive the reading of the charge?" the D.A. asks. There is confusion at the center; their lawyer isn't present. At the lawyers' row one rather shabbily dressed older man says to a younger colleague: "If you're not here, you get murdered. If you are here, you get murdered."

Michael and Mary have returned to their seats, to await their lawyer. A burly white man is at the railing, waiting while his lawyer and the policeman talk with the D.A. The D.A. says, "Your Honor, there's a motion to reduce this charge to assault in the third degree. I have no objection." The case is set for trial; the judge asks, "Would you rather have a three-judge court or a one-judge court?"

A statutory-rape case: a small, thin, Puerto Rican boy, a pregnant girl who looks about 13, and her mother. The D.A. says, "We agreed to a rather long adjournment to give the parties an opportunity to get married. I request a *final* adjournment." These statutory-rape cases are not meant to be prosecuted—they simply enable the State to act as a substitute father, pulling the shotgun out from behind the door.

The Puerto Ricans leave. A white man in a ragged tweed jacket, the stuffing coming out the bottom, takes their place. He stole $64 worth of jewelry from Macy's; the charge is reduced from grand larceny (a felony) to petit larceny (a misdemeanor), and he pleads guilty. The judge browses through some papers—the man's "pedigree sheets," a confidential report—and says, "Four months."

"Your Honor, I have a wife and four children—nobody else takes care of them."

"You should have thought of that before." The

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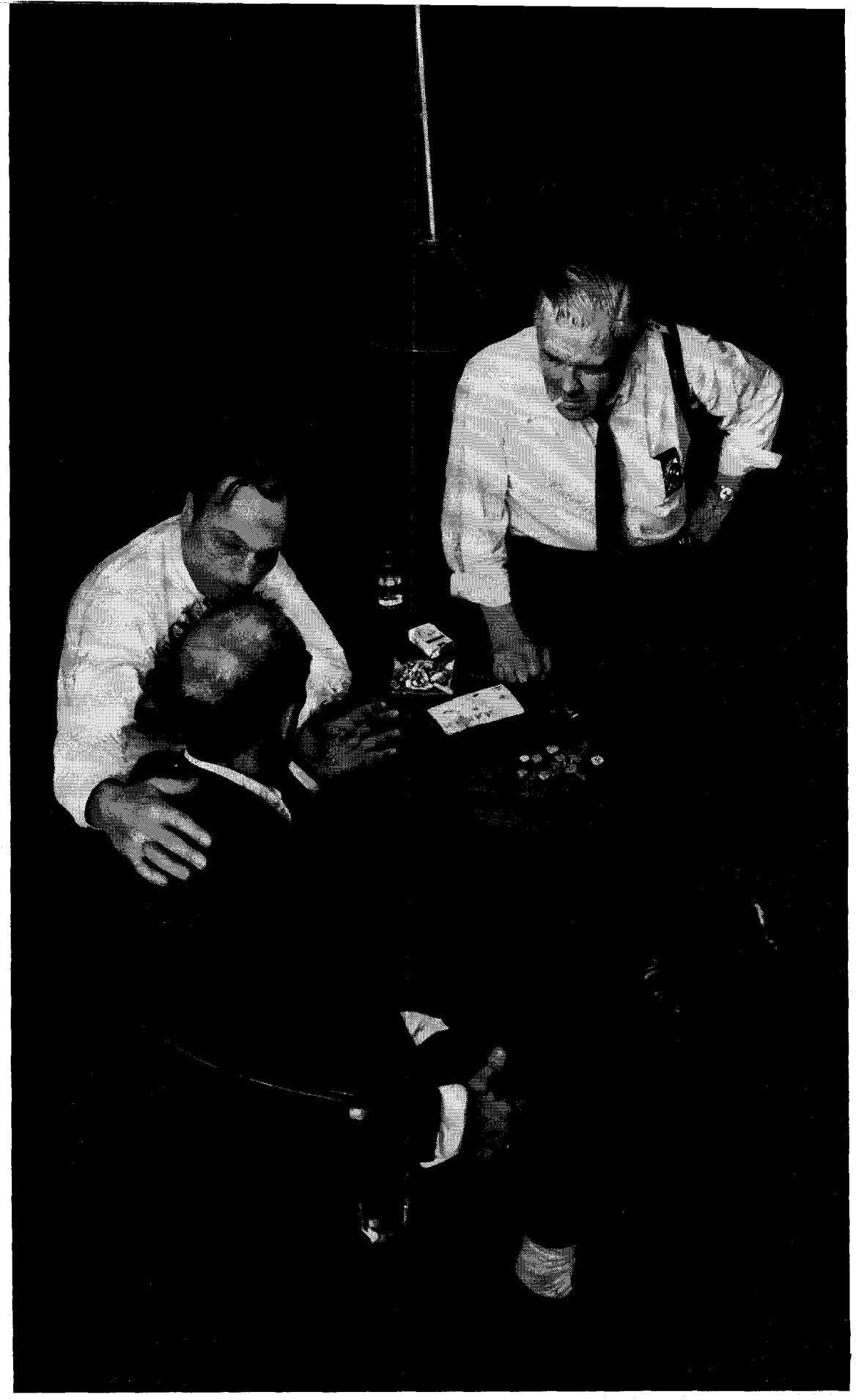

In the precinct "squeal room," suspects routinely confessed under questioning by a nice guy-tough guy team of detectives.

judge looks down at the flimsy carbons. "You had a year suspended a few months ago. By rights, I should give you that. Instead, I gave you four months. I think I was pretty generous."

Next a very pale, flabby, middle-aged man in a suit, white shirt and tie comes up with a policeman holding his elbow. He has laid his hands on a child on the Staten Island ferry. The District Attorney asks $10,000 bail: "He's on parole from a life sentence for rape in Maryland."

His lawyer objects: "It's academic, anyway—but he turned himself in."

The D.A. says again, "He's on a life sentence."

The judge shakes his head. "*He came in.*"

"Yes, Your Honor," says the D.A.

The judge sets $500 bail, and the man goes off to jail, to await trial (or return to Maryland); an out-of-towner, he is a bad risk for the bail bondsman.

A tall, broad-shouldered young man comes up with a girl: charge of felonious assault. He and the girl talk with the D.A. The judge interrupts:

"Where's your lawyer?"

The man shakes his head.

"Do you want to go back to jail?"

"No."

"Then get a lawyer—you're on bail, you can afford a lawyer."

But the girl with him is the girl he beat up. The D.A. says, "The People will consent to a reduction to third-degree assault."

The girl speaks to the D.A. even more earnestly, and he shrugs his shoulders. The complaint is dismissed, and the boy and girl go off arm in arm.

A young Negro comes up, grinning, the arresting officer with him, and the D.A. puts the arresting officer in the witness chair. An oath is administered, and the D.A. asks, "Officer, did you arrest this defendant in possession of what you believed to be stolen property?" He did; the man could give no convincing explanation of why he was walking down the street at night carrying a television set and four suits of clothes; but nobody had reported a burglary, and the Legal Aid lawyers were raising hell about holding a man against whom no complainant had appeared. In Britain, the circumstances and the man's inability to explain them would have constituted a crime; not in America. The purpose of the detective's testimony is to put these circumstances on record, to prevent any possible suit for false arrest. The charge is dismissed.

A ratty little colored man comes in from the pens, and a detective in plain clothes is put on the stand. The case is felonious assault—a knifing—and the victim is in critical condition in the hospital. The D.A., leafing through a folder—he never heard of the case until 30 seconds before—requests that the man be held without bail: "I should like to point out to Your Honor that there is a fifty-fifty chance the complainant witness will not survive."

At the lawyers' row is an overdressed, overpowdered lady of 50 or so, in a bulging red blouse and a wide-brimmed hat. She mutters, "Now, that's an adverse comment. He could say, 'there's a fifty-fifty chance the complainant witness *will* survive.' He has a negative attitude."

Farther along the row, another lawyer is saying, "*You* got troubles—there are two defendants and a policeman I can't find."

This is not a pleasant place to work. "You'll notice that a criminal lawyer never wears a hat," says one of them. "You know why? It's because if you put a hat down anywhere in a criminal court building, somebody steals it."

"The problem with being a defense lawyer is that it's like giving your life to the Boston Red Sox," says James Vorenberg, director of the National Crime Commission, and before that a Harvard professor who used to take his children to root for the home team. "You always lose."

Discussions of criminal procedure in America normally start with a sonorous statement to the effect that all men are presumed innocent until proven guilty. Unfortunately, an abstract "presumption of innocence" cannot long survive the experience of the courts. "No one who has been indicted and formally charged with a crime is really presumed innocent by anyone but his friends or well-wishers, or somebody who happens to know that the government was wrong," the late Charles P. Curtis once wrote.

The best of horror stories is that of the innocent man convicted of a crime, and among the most popular of entertainments is the murder which the police have the deuce of a time solving. Both situations are real, too, they happen. But their incidence is statistically invisible in each year's 300,000-odd serious criminal cases where an adult is arraigned before a judge. Substantially more than 95 percent of these defendants have unquestionably done *something* for which they could properly be punished by law—simple, if not necessarily felonious, assault; possession, if not necessarily sale, of narcotics—and about 80 percent will in fact be convicted.

In the great majority of cases, the presumption of innocence is not put to the test in court. Of those arrested on a serious criminal charge, more people are cleared and (*continued on page 70*)

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A PLAN OF ACTION

Day after day, newspaper headlines attest to the bitter truth of what every American knows: that crime in this country is increasing. Despite our wealth, our technological advances, our enlightened social legislation, we are failing to meet the first responsibility of government—the maintenance of law and order and of personal security. Today fear is a part of the daily lives of many Americans—whether they are walking alone on a dark street, or working in a shop, or driving a cab, or even sitting in their own homes.

If we are to make progress in combating crime, we must stop talking about it as if it were one simple problem, which we could solve with one simple solution. We must recognize that crime has many faces.

Crime is the 17-year-old boy who was thrown out of school for being rowdy, then refused a job because he couldn't read, and finally turned to rolling drunks and snatching purses.

Crime is the anti-Semite who bombs a synagogue, or the white man who breaks a Negro schoolboy's leg in defense of segregation.

Crime is the drug addict who steals to finance his demanding habit.

Crime is the rioter, the arsonist or the looter—products of a ghetto's racial explosion.

And crime is the habitual criminal whom prison has failed to rehabilitate.

Each of these examples represents a different type of social problem. If we are to deal effectively with crime, therefore, we must reject pat answers and instead seek a program of crime control—a blueprint for action—that gives special attention to each different problem.

Consider, for example, the very special problem of drug addiction. For far too long we have treated addicts as if they were ordinary criminals, rather than victims of a serious disease. Because of our ignorance and indifference, we have failed both ourselves and the addicts, while their numbers have multiplied until there are today an estimated 100,000 addicts in the United States.

A new approach to this growing malignancy has long been required. Following California's pioneer program initiated in 1961, Congress passed legislation last session which would permit addicts in federal cases to be placed under medical treatment rather than sent to prison. Because about half of those committed under the California program have subsequently returned to their communities and have not gone back to narcotics, there is good reason to believe that this federal program will return many addicts to a normal life. If other states will follow this lead, medical treatment for addicts could make a significant contribution to our national fight against crime.

An equally significant part of any anti-crime program, I feel, must be legislation to control the sale of firearms. Our Senate Juvenile Delinquency Subcommittee heard testimony indicating overwhelmingly that the present mail-order business in guns makes it ridiculously easy for juveniles, criminals, even lunatics to obtain firearms for less than the price of a pair of shoes. I know of no other country where it is as easy for dangerous and misguided members of society to obtain firearms as it is in the U.S. Each year about a million weapons are sold by mail order, thousands to persons with criminal records. J. Edgar Hoover has stated that the "easy accessibility of firearms is a significant factor in the murders committed in the United States today." Nothing could testify more vividly to the truth of this warning than the example of Charles Joseph Whitman, who stood on top of the Texas University tower one horrible day last summer and shot 15 people to death, wounding 31 others.

In the aftermath of that terrible tragedy some voices were heard calling for an end to easy accessibility of guns. But the outcry was short-lived, and without strong public support the proposed federal legislation did not pass. Those of us in the Congress who are concerned about the need for effective gun controls require the active support of the American people, if we are ever to realize this goal, and I urge all Americans to demand effective new laws.

Our failure to fight crime successfully can be attributed only in part to such factors as the absence of gun controls and the lack of effective treatment programs for drug addiction. There is a much larger failure: Despite the dedicated efforts of many thousands of individuals, the traditional processes of our criminal justice system—the police, the courts, the correctional agencies, the probation and parole services—simply are not performing adequately.

Almost everyone will agree that the job of the policeman is more difficult today than it has been at any other time in our history. Even as the crime rate continues to grow, our concern for the protection of individual rights increasingly restrains the policeman's freedom of action. Unfair charges of police brutality are often made, and in many communities the policeman is treated abusively and contemptuously. In addition he is now often called upon not merely for police duties but also for the dangerous and strenuous job of riot control. Yet the sad fact is that police departments almost everywhere are understaffed and ill-equipped, and the low pay levels fail to attract enough of the high-quality personnel we need.

If this diagnosis is correct, then the prescription seems obvious: Devote the resources and attention necessary to hire more policemen, attract highly qualified men to police work, develop new techniques of police administration, apply the advances of modern science and technology to crime prevention and crime detection, and improve public understanding and support of our law-enforcement agencies.

There is every indication that, if we follow this prescription, we can make significant progress in combating crime. Take, for example, the experience of Chicago over the last six years under the outstanding leadership of Police Chief O.W. Wilson. Chief Wilson is a perfect example of the kind of man we must attract to police work in greater numbers. A former dean of the school of criminology at Berkeley, he is the author of *Police Administration*, the classic work in the field. When Mayor Daley brought Chief Wilson to Chicago in 1960, criminal activity was rising sharply in Chicago as it was in most large American cities. But whereas the trend has continued upward elsewhere, it has been on the downgrade in Chicago since Wilson took over.

How did he do it? To begin with, he had the unqualified support of the mayor and the city. With this kind of backing, both financial and political, Wilson introduced business-administration techniques and modern computer technology to police work. The computer system gives Chicago police almost instantaneous access to a vast range of important information on wanted persons and stolen property, and also keeps track of the kind and amount of crime going on in various parts of the city so that more policemen can be allocated to the areas most in need of protection.

This kind of information system made it possible for Wilson to implement his theory of aggressive preventive patrol, which actually minimizes the opportunity for crime by making police patrols as frequent and as conspicuous as possible, particularly in the areas of highest criminal activity.

In addition Wilson raised pay scales and substituted civilians in a host of office jobs, thus releasing over a thousand policemen for patrol work. He also encouraged Negro recruitment, stressed community-relations training, and impressed upon Chicagoans the fact that, if the police are to be successful in combating crime, they need the aid of the average citizen.

On April 13, 1964, he launched "Operation Crime Stop." The program is keyed to a card which reminds the holder that the police need the eyes and the ears of private citizens, provides a central number to call if a suspicious person or incident is seen, and indicates the information the police will need to respond effectively. The program has been remarkably successful. Some 7,600 offenders have been arrested by the Chicago police as a result of Crime Stop calls.

I believe this kind of program should be adopted in cities throughout the country; it would remind Americans that crime prevention is not solely the responsibility of the police, and it would serve to refute the notion, which I dispute, that Americans are not willing to involve themselves in the safety of others. Programs like Operation Crime Stop demonstrate that, though the problems of crime are massive and complex, citizens and communities can play an effective part in solving them.

Sometimes even such a simple thing as increased street lighting can be very effective. All available evidence indicates that better street and park lighting deters crime by reducing opportunities for criminal activities. Yet many of our communities simply do not have adequate street lighting. For this reason I have proposed legislation to provide federal assistance to communities desiring to improve their lighting facilities. Such money would be well spent. As one police chief put it, "A good street light is as valuable as a good policeman and a lot cheaper."

Chief Wilson's success in Chicago proves that good men and good ideas can greatly improve the quality of law enforcement. Wilson's kind o

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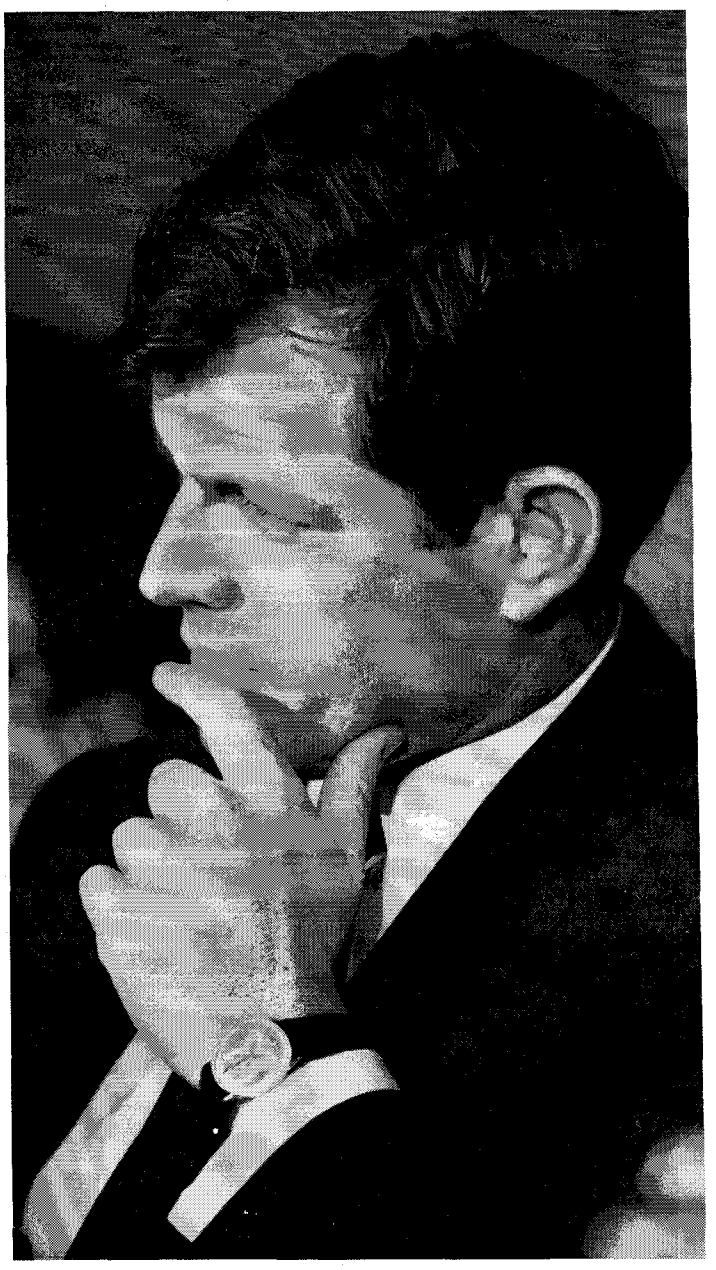
By SEN. EDWARD M. KENNEDY

The senior senator from Massachusetts calls for legislative reforms.



operation is expensive (Chicago's police budget has gone up almost 45 percent in the last six years), but considering that crime costs run into billions of dollars annually—more than we are spending on Vietnam—money spent on effective crime prevention is definitely money well spent.

The same sort of diagnosis and the same sort of prescription can be made for our state prison systems. These systems have been too long ignored and denied the resources they need to modernize and to attract high quality personnel. A correctional system cannot live up to its name unless it can rehabilitate as well as confine. Criminal correction should be viewed as a process, beginning as soon as the lawbreaker is apprehended, which treats a criminal as an individual, teaches him the skills of a trade and the duties of citizenship and assists him materially in finding a job and returning to his community. To do this effectively requires large numbers of skilled personnel working in the field of correctional rehabilitation. It also requires construction of new kinds of facilities and emphasis on programs which seek rehabilitation through skill-training and participation in community life.

For the most part our present correctional systems are ill-equipped to accomplish these tasks. A national survey recently completed by the President's Crime Commission indicates how badly the existing jails and prisons fall down on their job of rehabilitation. It shows there is an appalling shortage of skilled personnel in this field. Of the 20,000 employees in local correction institutions, only about five percent are involved in training and treatment—the vast majority of personnel are capable of performing only custodial functions. Thirty percent of the state-operated adult institutions provide no vocational training.

I do not cite these statistics because I favor the "coddling" of criminals; I cite them because I believe our generally impoverished state and local correctional systems are not contributing enough to our war against crime, and I think the facts bear me out. One third of all those paroled revert to crime, and almost one half of our present prison population of over a million will go on to commit further crimes after they are released.

As in the area of law enforcement, however, there are some places where progress is being made. Available evidence indicates that the longer you keep a man in prison, the more likely he is to revert to crime when he is released. So several states and communities are experimenting with ways to return the individual to community life earlier. In New England, both Vermont and the federal prison at Danbury, Conn., have instituted successful programs which release prisoners into the community for work, under careful supervision; Wisconsin, North Carolina and California have pioneered similar techniques.

And in California, Richard McGee, who heads the state's Youth and Adult Correction Agency, has demonstrated that imaginative thinking, coupled with additional resources and personnel, can help enormously in our war against crime. When McGee came to California in 1944, the state's prison system comprised little more than several maximum-security prisons, such as San Quentin and Folsom, run by their wardens as independent empires. The emphasis was on custody, not on treatment. McGee has changed things dramatically. Now there is a whole range of facilities, from maximum-security prisons to open institutions like the California Institution for Men at Chino, where inmates live on an honor system without the constraints of prison walls.

Recognizing the importance of building bridges between inmates and community, McGee also set up trade-advisory councils, whose members are representatives of business and labor in those occupations for which inmates are being trained. These representatives visit correctional institutions, advise on the type of equipment, training facilities and programs needed, and assist the inmates in getting jobs after they are released.

Another California experiment involved paroling youthful offenders immediately upon conviction under careful community supervision. In an effort to test the project's effectiveness, a control group of delinquents similar to those returned to the community was sent through the conventional process. The behavior of each group following discharge was watched closely. The amazing finding: The boys treated in the experimental project have returned to criminal activity at a rate almost 50 percent lower than that of the boys treated by the more conventional methods. I think, however, that the real significance of this project is California's determination to actually test these new methods—to find out what works and what does not work. This kind of willingness to search for new and better techniques and to test their effectiveness has not been the hallmark of our criminal justice system.

The United States has developed the most advanced and sophisticated techniques of market research in the world—when it comes to selling soap. But we have failed miserably at the job of research into crime. The reason, I believe, is that until now we have not given the problem of crime the priority attention it deserves.

I recommend that we establish a National Institute for Crime Research, providing in the field of criminal justice—as the National Institute of Mental Health provides in the mental-health field—a center where national crime problems, such as the rising rate of juvenile crime and the continued success of organized crime, can be identified and studied, where people from all over the country can come to work and to seek advice and to plan programs for our war on crime.

I also recommend that this institute operate a criminal justice extension service to make available to all American communities, as our agriculture extension service makes information available to the farmer, the best techniques thus far developed by police departments, courts and correctional agencies, and the fruits of future research.

Finally, I recommend that we establish grant programs in selected universities around the country to foster training and research—criminal justice academies, I call them in the legislation I have introduced. This idea is the brainchild of Sheldon Glueck, the eminent Harvard criminologist, and in my judgment it makes good sense. The establishment of such regional centers would help show the nation the importance we place on work in this field; it would raise the status of our nation's effort to combat crime; and it would attract more able people to careers in criminal justice.

In addition to these specific anti-crime programs, we must intensify our attack on the roots of crime—poverty, neglect, ignorance and social injustice. For the mainstream of criminal activity flows from the deprivation, alienation and discontent of wasted lives—of lives lived without family guidance, without education, without jobs and, most terrible of all, without hope.

If we are seriously concerned about crime, we must acknowledge our responsibility to do something about the crumbling slum schools and poor housing, and the shocking unemployment rates for the young Negroes, Puerto Ricans and Mexican Americans. Indeed, with crime most prevalent among young people, every community must focus special attention on its youth, particularly the disadvantaged. Today's delinquents will be tomorrow's criminals—unless the community, through education, job training and treatment programs, prepares these youngsters for the productive tasks of adulthood.

Most of us who share in the good life of our rich nation are law-abiding citizens. The promise of America is that someday all may share. In our work to fulfill that promise lies one of our most effective weapons against crime. □

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JACKIE GLEASON: 'ANYTHING I CAN'T LICK APPEALS TO ME.'

When 'The Great One' moved to Miami to play golf year-round, he discovered it takes a 36-hour workday to turn his 'Honeymooners' into TV's smash comeback.

By BILL DAVIDSON

Photos by Charles Moore

Monday is the worst day of the week for Jackie Gleason. On this particular Monday he arose at 6:30 A.M.—as is his habit—and rolled his king-size body out of his king-size bed in his king-size Florida home. He surveyed the powder-blue bedroom with distaste, enveloped his elephantine 300-pound body in an enormous gray bathrobe with peppermint piping, and checked in a mirror to see if the bags under his eyes had enlarged as a result of the previous day's carousing. They had.

Gleason walked to the window, from which he could see most of his magnificent 10-room yellow-painted house curving around a courtyard garden, on the other side of which he has his own private $100,000 "Jackie Gleason Pool Parlor." He could also see the first tee of the Country Club of Miami golf course, just 75 yards from his window. It was raining heavily, however, and the rain squalls obscured most of the golf course. He swore. "What's the sense of moving down here to Florida if I can't play golf," he muttered to no one in particular. It is his custom to play 18 holes of golf every morning, alone, at 7, before anyone else is up.

He went into the kitchen and made himself a breakfast of two fried eggs and two strips of bacon. He read aimlessly for a while from a book called *Analysis of Motion Pictures*. He picked out a few chords on the piano, thinking unhappily about the next record album he would have to record. Then he decided to call his friend, restaurateur Toots Shor, in New York. It was only 8 A.M., and he

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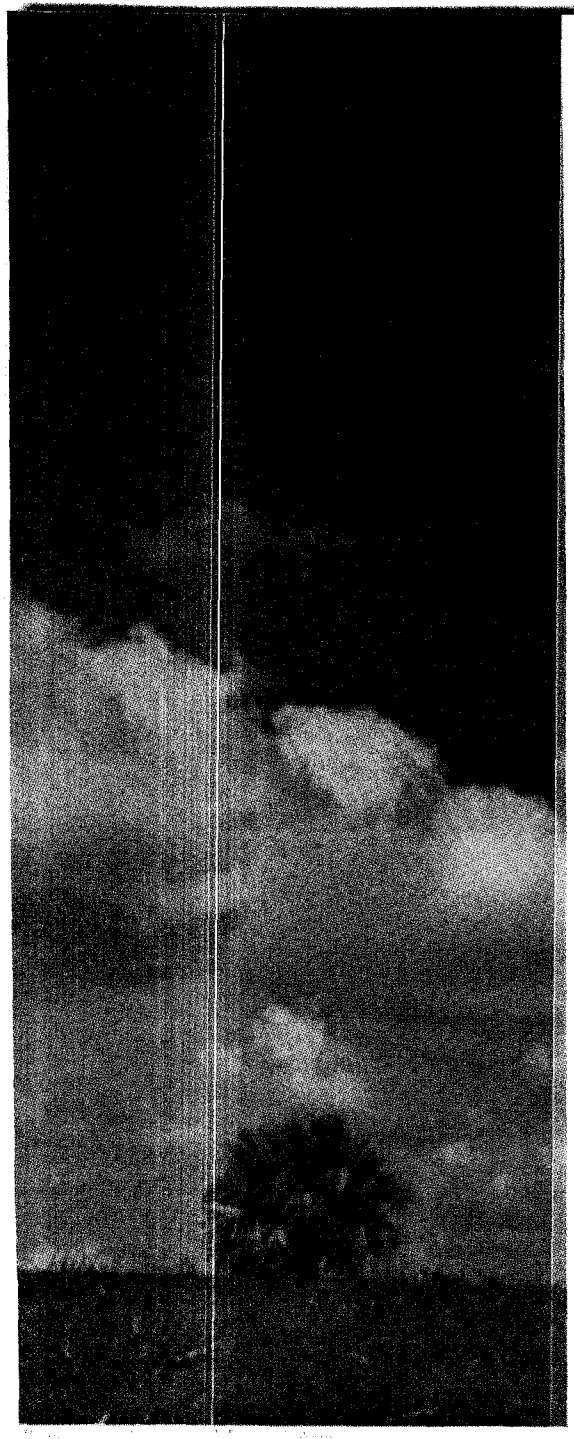

members of the cast and crew of *The Jackie Gleason Show*, most of whom live in the metropolitan Miami area, must commute 50 miles a day to and from work.

When he arrived at his office, Gleason began shouting, "Eddie!" and a pleasant-looking man named Edmond De Vierno, whose title is assistant to the producer, appeared. De Vierno had a worried look on his face. "Get me some aspirin," shouted Gleason. "The Great One," as he likes to call himself, then settled his bulk behind the surprisingly delicate little black desk in his red-carpeted, basketball-court-size office. When De Vierno appeared with the aspirin, Gleason sent him for coffee. Then for diet cola (Gleason must now restrict his intake of sugar). Intermittent roars issued from the private office, and the three secretaries in the anteroom outside looked at each other meaningfully. "It's going to be a rough day," one of them said.

An observer in the anteroom wondered *why* it was going to be a rough day. Gleason seems to have everything he ever wanted in his little fiefdom in Florida. He is the absolute monarch of a territory at least the size of Monaco, with 200 souls—118 of them transplanted from New York—as his loyal and devoted subjects, since they owe their livelihood to him by working in various capacities on *The Jackie Gleason Show*. The City of Miami Beach now has a street named Jackie Gleason Drive, and the vast Miami Beach Auditorium, where he stages final rehearsals on Thursday and Friday and tapes his show every Saturday night, has become, in effect, Jackie Gleason's private Astrodome. Since he and Art Carney have been reunited this year in the return of *The Honeymooners*, his TV ratings have soared to put his show consistently in the Top 10. *The Honeymooners*, even with newcomers Sheila MacRae and Jane Kean replacing Audrey Meadows and Joyce Randolph in the cast (as Gleason's and Carney's wives, respectively) is the only TV idea in history ever to stage a successful comeback.

What, then, was wrong on that rainy Monday? Jack Philbin, a tall, dapper man with a strong resemblance to Lyndon Johnson, explained. Philbin is Gleason's best friend, his partner in his vast entertainment enterprises, his executive producer, and a close associate since the pre-TV days when Gleason was working for peanuts in nightclubs around New York. "You gotta understand Jackie," said Philbin. "First of all, although he'll never admit it, he's homesick for New York. Secondly, though his ratings are way up, he's gotta ask himself, 'If the quality is *this* good, how am I going to keep it up?' Third, on Monday morning, when he starts rehearsing for the following Saturday's show, every script looks lousy to him. He wakes up and he says, 'My God, I've got to start all over again,' and that's the way he is until he begins to see daylight toward the end of the week. And fourth, when he can't play golf, he's like a caged lion."

From inside The Great One's office, the lion roared, "Edd-ee! Edd-ee! Where the *hell's* that De Vierno?"

The rehearsal began at noon as scheduled. It took place in one of the two rehearsal halls in the Jackie Gleason Office Building. The room was so large that it easily could have accommodated a high-school dance, and its dominant feature was a floor of blinding orange-and-yellow squares. Before Gleason walked in from his office across the hall, the cast huddled gloomily around a table that was lost in the vastness of the room. They were to do a *Honeymooners* that week (a funny fable about touring bus driver Ralph Kramden and sewer worker Ed Norton and their wives getting involved with an 11-year-old Italian Romeo in Rome). Seated around the table were Art Carney, Sheila MacRae, Jane Kean, director Frank Bunetta, and songwriters Lyn Duddy and Jerry Bresler, who write all the music for *The Honeymooners* musical comedies. The Italian boy also was there, a child actor named Jomar Cidoni. His mother was seated right behind him, but he looked scared.

The door opened and Gleason walked in, his pink sweater clashing furiously with the orange-and-yellow squares as he thundered across the floor. He sat down at the end of the table, looked up and said, "Shall we open with a hymn?" Everyone laughed. Then he said, "Let's read

woke Shor up. "Hey, whale," he said to Shor, who also weighs around 300 pounds, "when are you comin' down?" "I can't, clamhead," said Shor grumpily. "Too busy."

"Oh, come anyway, blub," said Gleason.

"Can't," said Shor, and he hung up.

From that point Gleason's mood went from bad to worse. He phoned Ronald Wayne, the producer of his *Jackie Gleason Show*, and growled at him to put off the day's rehearsal from 10 A.M. until noon. He picked a fight over some inconsequential household matter with Honey Merrill, a beautiful honey-blonde with enormous gray eyes, who is his executive secretary and constant companion. When he finally got dressed, in a pink sweater and wine-colored slacks, he lumbered into his maroon-and-beige custom-made $27,000 Mercedes-Benz, which is as long as a hearse and is equipped with bar, refrigerator and telephones. He told his driver, Jimmy Milligan, to take him to his office at the other side of the golf course. The Gleason office building includes two rehearsal halls, each bigger than the stage at the Radio City Music Hall. It was built to the dimensions of a small armory, at a phenomenal cost after the City of Miami Beach enticed him in 1963 to move his TV show from New York, lock, stock and barrel. The bizarre location of the office building is attributable to the fact that Gleason likes to play golf three times a day. It is probably the only office building in the world which is on a golf course 25 miles outside the nearest metropolis. The other

During a rare break from rehearsal, the Glea Girls get a chance to take in a few hours of Miami sunshine.

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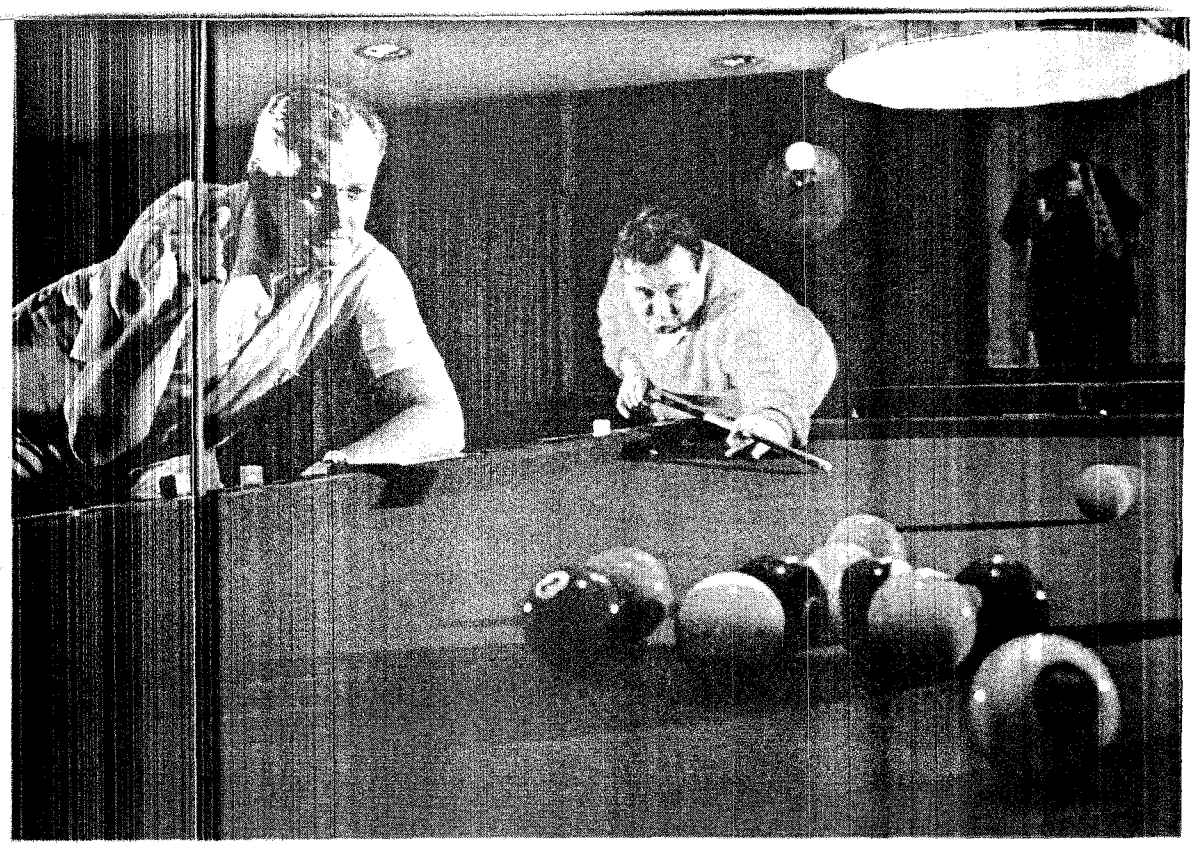

Though Art Carney continually refuses to play golf with Gleason, he occasionally agrees to a few games of pool.

through the script," which they did, aloud. At one point Gleason said, "It looks like Carney's got all the funny lines." Then he began ad libbing in an Italian dialect, looking to see if he was making Carney laugh. He was. Carney responded by doing his lines in an imitation of Lionel Barrymore. Gleason almost smiled. They finished reading the script and listened to Duddy and Bresler sing the songs. Then Gleason said, "All right. Rehearsal here tomorrow at ten o'clock," and the cast dispersed. Bunetta, the director, said nothing.

On his way out, Gleason turned to the still-terrified child actor, Jomar, who had performed creditably in the reading, and he said, "Make sure the hairdresser puts a part in your hair, kid. You look like a Beatle."

Gleason walked into the corridor and found Sheila MacRae. He talked to her briefly about the part of Alice Kramden, his wife in *The Honeymooners*. "You can't wear slacks in the show," he said. "My Alice would never wear pants in public. Also, cut your fingernails. My Alice can't have long nails like that when she washes dishes every day." Sheila asked, "Does your Alice wear earrings?" "No," said Gleason. Then, as an afterthought, he added, "Don't worry, honey, You *are* Alice." He patted her on the shoulder, almost as if she were a man, and he moved on to his Rehearsal Hall No. 2, where June Taylor's dancers were pirouetting and cavorting. He barely noticed them. He pointed to the baseboards in the pink-and-green room, which, if anything, was larger than the orange-and-yellow one, and he bellowed, "Haven't they fixed those damned things *yet?* Must I do *everything* around here?" He was assured that the carpenters were on the way, and that the baseboard problem would soon be solved. Gleason grunted and lumbered back to his office.

In the red-and-black office he stared morosely for a while. Then he began to reminisce with some visitors. "When I was a kid in Brooklyn," he said, "I only weighed a hundred and thirty-five pounds. When I was fifteen, a guy saw me swimming at the Cypress Pool. He said, 'Wanna make an easy buck?' and I found myself with a group doin' a swimming act at the Steel Pier in Atlantic City. For the climax of the act we had to dive off the pier into the ocean, where there was an old guy in a motorboat picked us up. Well, one day the old guy in the boat got loaded and fell out of the boat and got cut in half. There we were in the ocean, and the water was rough. We had to swim a half a mile through eight-foot waves to the shore, and when we staggered up on the beach, half dead, the guy who hired us said, 'Here, I got a half a bottle of brandy apiece for you. It will warm you up.' That was tough work."

The conversation got around to pool, his first love, even before golf. He said, "Atlantic City Red is the only good left-handed pool player I've seen in my life. Good pool players don't live long. They get ulcers." He thought about that for a while. Then he said, "Say, did you ever hear about the time Toots Shor hustled me? He calls me up one day and says he has a pigeon for me, guy named Joe Schulman from Cincinnati, wants to play me pool. I'm sick at home with the flu, but I get up and meet him and Toots at the Capitol Poolroom, across the street from the Roxy Theater. We play a game and the guy's lousy, and him and Toots get into an argument. 'All right,' says Toots, 'if you think you're so good, why don't you play Gleason, and I'll put up five hundred on Gleason.' I have to match Toots's five hundred, and then I start playin' with the guy. He beats me three games in a row. Then I see Toots laughin', and I say, 'What are you laughin' at, you clamhead?' He then tells me I been playin' with Willie Mosconi, the champion of the world."

The talk finally got around to the current Jackie Gleason show. "Last year I was bored," he said. "The ratings were good, but I wasn't happy. I could walk in at six o'clock on the night of the taping, watch my stand-in run through the rehearsal, go to my dressing room for a haircut, and do the show. When it's too easy, it's no fun. Then this year we decided to revive *The Honeymooners*, which was a half-hour show in 1958. That was something else again, and I got excited about the idea. The reason we didn't do it before was that Art Carney wasn't available. He's the only one I could do it with. With this guy, it's always like I've been workin' with him for a hundred years. What instinct! He knows exactly what people like Ralph Kramden and Ed Norton would always say and do."

On Tuesday the rain and the wind had increased. The outer edge of Hurricane Inez had struck Miami. Roads were flooded and trees were down, so the second day's rehearsal had to be called off. Gleason, isolated in his country-club duchy 25 miles from Miami, was without electricity, and he spent the day listening to hurricane advisories on his battery-powered TV and radio sets. Carney, snug in his apartment in a Miami Beach hotel, napped fitfully. Sheila MacRae, also comfortably ensconced in her hotel, polished a verse for a volume of poetry, *Rack of Time*, which she has been writing for years. Jane Kean wandered nervously about in her apartment and wondered aloud to her husband, Richard Linkroum, why he wasn't working on the novel he had come to Miami to write.

High in a penthouse office atop a tower on Miami Beach's Lincoln Road, the city's official publicist, Hank Meyer, watched the rain swirling outside his windows and explained how he got Gleason to transplant himself to the Miami area. "I picked up a newspaper one day in 1963," he said, "and I read an item in Earl Wilson's column. It said that Jackie Gleason would like to play golf three hundred and sixty-five days a year. I got on the phone, and I called Jackie's partner, Jack Philbin, in New York. I said, "If Jackie really wants to play golf all year, I can arrange it." Philbin put Jackie on the phone, and I said, 'How would you like to be a Number One tourist attraction, the only permanent TV star in town? People will drive by the auditorium here when you do the show and take pictures.' Jackie said, 'Beautiful, pal. I love it. Keep talkin'.' I said, 'Let's see if we can do it.' He said, 'Beautiful, pal, let's do it.' So from that one phone call he moved down here with one hundred and eighteen people and they have spent millions of dollars to do their show here every Saturday night. Also—and I don't mind telling you—the tourist business was lagging in Miami Beach when I made that phone call. In 1964, the following year, we got a half million more tourists, for an increase of eighteen percent. The next year it went up another ten. And all because a guy wants to play golf."

Outside, Marvin Marx, the dour chief writer of the *Jackie Gleason Show*, ducked out of the rain as he made his way from a Lincoln Road restaurant to his car. He got into his car, dripping wet, and dejectedly drove to Gleason's downtown offices, which are sandwiched between the mammoth auditorium and city hall. The building used to house the Miami Beach Chamber of Commerce until it was displaced to make room for Peekskill Productions, a company wholly owned by Gleason and Philbin.

In the lobby of the building is a huge photographic blowup of a picture of Gleason in World War I doughboy uniform, with a bronze plaque underneath, reading, OUR BELOVED FOUNDER. Marx removed his wet coat, looked at the picture and said, "He isn't playing any golf *today*.

"Golf," Marx grumbled (like many other members of the Gleason entourage, he still hopefully keeps a home in the North). "It's a good thing he doesn't like ice-skating or we'd be doing this show from Canada."

By Wednesday morning the storm was nearly gone, and Gleason called for two rehearsal sessions instead of one, to make up for the lost time. The two readings were much like the first one on Monday, except that Gleason already knew most of the 65-page script by heart and did not have to refer to the script, as the others still did. While the cast droned its way through the script perhaps a half-dozen times, Gleason's massive head would sometimes loll to one side, his oversize black-rimmed spectacles would slip down his nose, and he appeared to be asleep. But he wasn't, and he continued to give directions instead of director Bunetta. He'd take out a line here, add a joke there. He and Carney continued to play actor's tricks on each other, as if it were a game and no one else was in the room. Once Carney began

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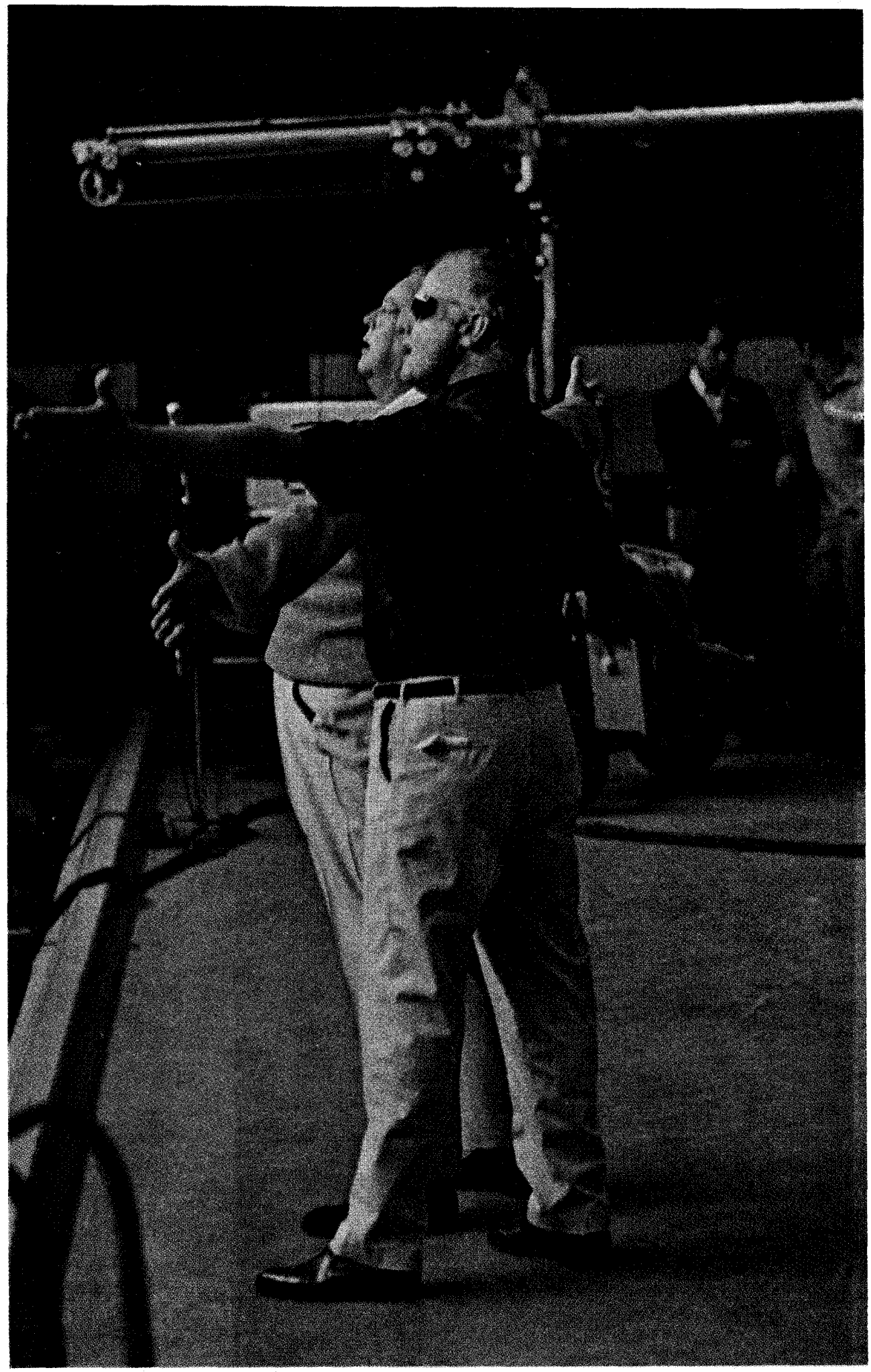
doing a scene in British drawing-room accents, and Gleason followed suit for a page and a half of the script. Carney and the rest of the cast broke up. Another time, Carney ad-libbed "bushwa," and Gleason answered, "Jehosaphat." "Leave the 'bushwa' in," Gleason told Carney.

At the lunch break Gleason went to his house to consume a roast prepared in his office kitchen and rushed home in the Mercedes by Gleason's cook, Marta Ferring. Everyone else went to the country club for hamburgers and such. Someone asked Sheila MacRae, "Why is Jackie always so morose?" She said, "He's morose because he's so aware. And as Jean Paul Sartre believed, 'Awareness is despairness.'" She was asked, "What's he so aware *of?*" She said, "His own problems—his need to be loved constantly by audiences; the fact that he's been separated from his wife, Gen, for twenty years now, and he won't get a divorce and marry again because of his religion; the fear that he may have dug himself into a mink-lined trap here in Miami and can't get out. Lots of things. In many ways he's a lot like his friend, Sinatra. They're both loners who nevertheless surround themselves with an entourage. They're both insomniacs, but Frank goes out at night and Jackie usually locks himself in his room. He can read a complicated medical book at a sitting, or maybe listen to music. Like Frank once said, 'Whether it's booze or broads or prayer, anything to get me through the night, I'm for it.'"

(That evening a Miami all-night disk jockey named Jack McDermott said, "A funny thing happened the other night. It was about two in the morning, and the phone rang and a guy said, 'Hey, pal, this is Jackie, the Great One. I'd like to hear *The Girls of the Folies Bergère* from my album.' I thought it was a nut, and I said, 'You're putting me on.' He said, 'OK, pal, I'm going to give you my number here in the car. I'm just riding around by myself. Call me back.' I looked up the mobile-telephone number he had given me, and sure enough it was listed to Peekskill Productions, Gleason's company. I called him back, and it was him, all right. I played the whole album. Then he called *me* back, still from the car, and he said, 'Thanks, pal, maybe I can go home and go to sleep now.'")

The afternoon rehearsal went smoothly, and Gleason dismissed everyone at four o'clock. Ordinarily this would be his time to play golf, but there still were rain squalls, so he challenged Carney to play a game of pool with him instead. They drove over to Gleason's house in the Mercedes and entered the Jackie Gleason Pool Parlor. The interior of the pool parlor is an awesome 40-by-60 feet with high ceilings, a fully equipped professional bar, four tables with beer-barrel-shaped chairs, a dart-board court, a shuffleboard court, a full-length portrait of Jackie captioned THE GREAT ONE, and an old-fashioned 5-by-10-foot regulation pool table with an antique overhanging lamp.

Gleason, unsmiling, quickly polished off the silent Carney, making comments such as, "One thing you can't do is drink booze and play pool," and "You gotta play this game every day, pal." Then, casting about for others to conquer, Gleason's somber blue eyes alighted on Bernie Roswig, a young CBS press agent who is assigned to Gleason's show and visits it intermittently from New York. "*You* look like a pool player to me," he said. Roswig allowed as how he used to play regularly in his home town of Utica, N.Y., and Gleason took him on. Roswig beat The Great One. Gleason glowered. "All right, pal," he said. "Now we play



"We put on what amounts to half a Broadway musical every week," Jackie says. "And do it in three days of rehearsal."

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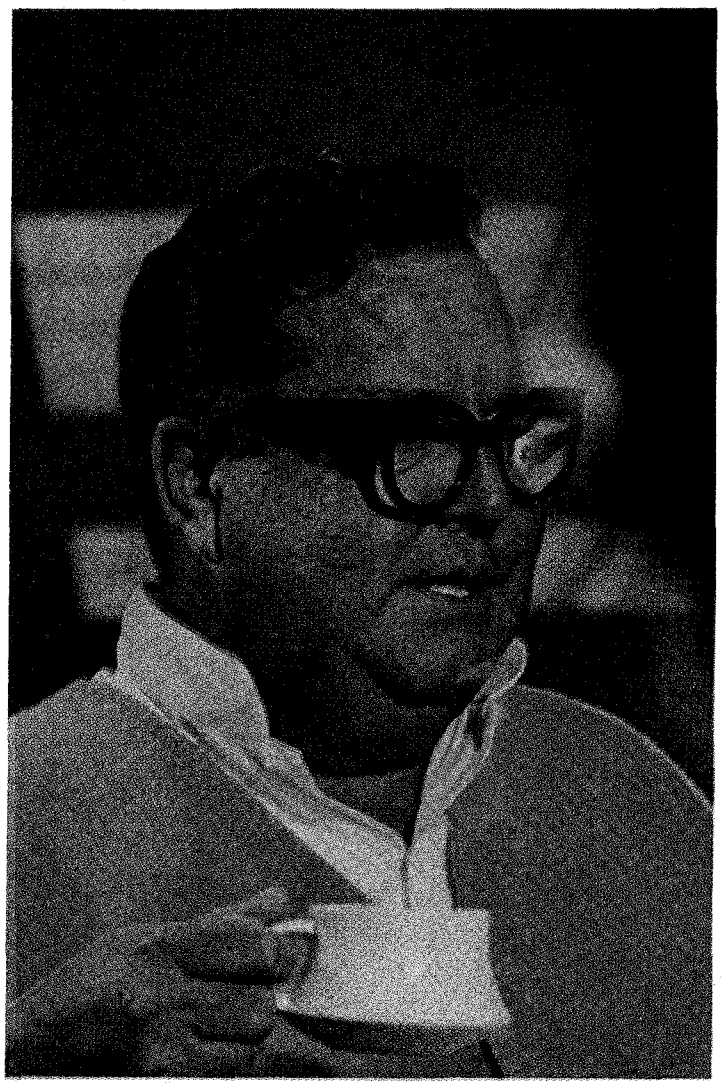
'In many ways he's like his pal Sinatra. They're both loners who surround themselves with an



Gleason relaxes with coffee after a five-hour writing session.

JACKIE GLEASON

for *money*. Five bucks." This time Gleason was a cold calculating machine, as he was when he played the role of Minnesota Fats in the movie, *The Hustler*. He swamped Roswig, taking the young man's money with an air of sullen triumph, but then he tempered his reaction with a bit of brotherly advice. "Kid," he said, "you're curling your finger too much on the bridge."

From the pool hall Gleason disappeared into his house to read a new book he had bought.

Carney returned to his hotel to have a snack and to rest. Although he is not supposed to drink, he had three cocktails with his snack. Carney often has been called one of the most talented American actors, but he spoke of Gleason as being a true genius in his profession. "Most people don't realize it," he said, "but this man, with his instinct for both humor and pathos, is as good as Chaplin. I'm always flattered when we're referred to as the Brooklyn Laurel and Hardy."

Carney said, "This guy has been very good to me. He never treats me like a stooge or a second man—always as a partner. He plays straight for me, and I play straight for him. He even thinks up ideas so I can get a bigger laugh. Most comics won't do that. I know one big name who keeps one of his men in the audience during dress rehearsal just to see if anybody gets a bigger laugh than the star. If he does, the line comes out."

Carney talked about how the character of Ed Norton, the sewer worker in *The Honeymooners*, came about. "I got shot up pretty bad in World War Two," he said. "I was with the Twenty-Eighth Division near St. Lo, and I caught a big chunk of shrapnel in the leg. I was in the hospital for nine months, and when I got out there wasn't much work for an actor with a bad leg. I rode the subway a lot going to agents. Although I come from Mount Vernon, New York, I listened to people talk in the subway, and I learned how to mimic that wonderful Brooklyn-Bronx accent. They'd say things like 'I seen that picture and it stunk. The part when the guy went over the cliff, that part was fake.' I first tried out the accent when I played a character named Philly Ohlman on a radio show called *Joe and Ethel Terp*. I used it again when I played Charlie the Doorman and Newton the Waiter with Morey Amsterdam on *Broadway Open House* on television in the early days. When Gleason began his first TV series in 1950, I got a part playing a cop in a Reggie Van Gleason skit, and I did Philly Ohlman again. It was Gleason who recognized how the character could be used as his neighbor, Ed Norton, in *The Honeymooners* skit. That's the kind of instinct I was talking about that makes him great. When John O'Hara, the novelist, said that Gleason's *Honeymooners* characters are the kind we'd be getting from Charles Dickens if he were writing for TV today, he wasn't kidding."

Asked if he saw much of Gleason socially, Carney said, "No, but not many other people do, either. Besides, I'm a loner myself, and I always felt that too close a relationship with a guy you see every day in business isn't healthy—like what happens when a wife comes down to her husband's office too much. When we work, we work. He *does* ask me to play golf, but I don't like the game. Frankly, I never understood this golf bit with him. He says, 'When you get out there, you forget *everything*.' I got hooked once like that—on bowling—but in those days things weren't going so good, and there was plenty I wanted to forget. But here's a guy who's rich, talented and beloved. Yet he likes a game of golf because it gives him an hour or two of oblivion."

On Thursday morning Carney didn't show up for the 10 o'clock rehearsal, which, unlike those earlier in the week, was at the Miami Beach Auditorium where the show would be taped on Saturday night. Gleason went into a panic. He shouted to Eddie De Vierno a dozen times to try to get Carney on the phone at his hotel apartment. When there was no answer, he asked, "Did anyone see him drinking booze last night?" The rest of the cast just sat around looking blank. Then Gleason roared at Philbin, "You *gotta* have someone down there at his hotel to wake him up and bring him here in the morning." Then De Vierno came under fire again. "When you go there, don't just push the doorbell. *Lean* on it. Carney's hard-of-hearing in one ear, and if he's sleeping on his good side, he'll *never* hear you."

De Vierno rushed off to look for Carney, and while the June Taylor dancers pranced about on the stage of the auditorium, the actors waited in Gleason's all-green office-dressing room, just off the stage. Gleason lay back in a reclining chair behind his desk, a look of suffering on his face, his 56-inch waist rising from his midsection like an alp. At 11:50 Carney walked in. "Hi!" he said. Gleason simply said, "Let's start rehearsing."

The Great One was not as easy on set director Phil Cuoco (who has been with him for 16 years) when the cast went out onto the stage to do the first scene in which Gleason, Carney, Sheila and Jane were to roll into camera view in a tiny Italian automobile. Gleason took one look at the car and yelled about the top not being cut down to his liking. Cuoco said, "Just tell us what you want, Jack, and we'll cut it some more." Gleason said, "Cut the whole windshield off. Where did you rent this heap, anyway?" Cuoco said, "How can we rent a car and then cut it up? We *bought* this car, Jack." Gleason said, "You *what?*" and his subsequent bellowing resounded through the enormous empty theater. "You mean," Gleason roared, "you *bought* this car when there are a million rental joints in Florida and you *know* what our budget is!" (The budget is one of CBS's most liberal, $140,000 a week.) Cuoco said quietly, "The car only cost two hundred and sixty dollars, Jack." Gleason's bellowing continued for a few seconds. Then he stopped abruptly. "Did you say two hundred and sixty dollars?" he asked. Cuoco nodded. "Well, what are we waiting for?" said Gleason. "Let's get in the car and try the scene."

A veteran of his entourage (15 years) whispered to a bystander, "You never *listen* when Jackie yells. What he's saying at the time has nothing to do with what he's *really* mad about, so the words don't mean anything."

The rest of the rehearsal went well. It was obvious now that Bunetta, a highly skilled camera manipulator, was handling the technical direction with no interference from Gleason. Gleason, however, was still giving the orders to the actors on the stage. At one point he looked at Sheila with heavy-lidded eyes while she did a scene on the telephone, and he said, "Take the phone in the *left* hand, honey." Another time he was not satisfied with the position of Jomar Cidoni's head. Gleason put his huge palm on the boy's head and swiveled it around as if it were attached to a department-store dummy.

The ad libs between him and Carney kept coming, and again some of them remained in the script. Carney said, "The first time I took the test for the sewer, I flunked. I couldn't even float." "Leave it in," said Gleason. Gleason said, "I'll stick some anchovies up your nose and make a pizza outa you." "Leave it in," said Gleason.

He was feeling better now that he was beginning to see the show visually on the stage with its elaborate scenery and props. He even mellowed to the point where, while resting in his dressing room between scenes, he talked about his two daughters and his grandchildren—a subject he rarely discusses. He said, "Both Geraldine and Linda grew up to be beautiful young ladies, and I even like their husbands. They're both named Jack—whadaya think of that? One Jack is a writer, and the other is in the advertising business. Geraldine has a son, Mark, and Linda has Jennifer and Jason." He suddenly seemed anxious to get off the subject. "I don't see the grandchildren much," he said, "but Geraldine and Linda send pictures."

While he talked in the dressing room, he was watching everything on the stage through a TV monitor across from his desk. Nothing escaped him. "Edd-ee!" he suddenly yelled, and De Vierno sidled into the room. "Tell them to drop that goddamn cyclorama at the back of the stage," Gleason shouted, "and that girl in the chorus, third from the left, her eye makeup is smeared. And tell Sheila to take those bracelets off when

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Sheila MacRae, her hair dyed red at Jackie Gleason's command, became the new "Alice Kramden" on THE HONEYMOONERS after only a 10-minute audition with "The Great One."

we do the next scene. My Alice wouldn't wear bracelets."

Outside, on the stage, Sheila removed the bracelets and said, "He certainly has inflexible ideas about what his Alice is. Do you know it says in my contract that my hair has to be red, and if I change the color back to blonde or even to brown, I'm breaking the contract?" Sheila held up her hands with their close-cropped, unvarnished fingernails. "These are my Alice nails," she said. She told about how she got the part, which, with all its problems, is one of the most coveted in show business. "I've known Jackie for years," she began, "but only socially. I never expected this in a million years. After all, I've only been in show business for eight years. I married Gordon MacRae when I was only seventeen, and it wasn't until our children were pretty well grown that I began to write material for Gordon's nightclub act. I didn't actually work with him as part of the act until 1958. During all this time we used to see a lot of Jackie, but with Jackie he was always out with the boys, and the wives were just dragged along. He didn't speak to me very much. I mostly just sat and listened.

"That's why I was surprised, when the act with Gordon broke up, and I was doing my own act and Jackie got in touch with me. First, he came to see me with Toots Shor when I was doing *Guys and Dolls* in New York. He told me he was trying to get Audrey Meadows back for the new *Honeymooners*, but that she had just got married again, and she didn't want to work steadily. I forgot about it until one night the phone rang in my apartment in New York at two-thirty in the morning, and it was Jackie, calling from Miami. He said, 'Can you come to Florida tomorrow?' I flew down, and he said, 'Do you think you can play Alice?' I said, 'Yes.' He said, 'So do I.' And that was the whole audition. He told me, 'You know you're in a tough spot,' and I was. With Jackie and Art Carney it's like I'm serving an apprenticeship, and I must earn my way into that bond they have when they react with each other so magically. Also, I'm still serving an apprenticeship in the art of being his Alice."

Someone said, "It's funny about his Alice. He's like a scientist who has made a robot to his specifications. Alice is what he always really wanted as a wife. She's snippy and bright, but she also loves him dearly, and although she fights with him, she always gives in in the end and does what he wants to do. His mother was like that—Irish tenderness mixed with belligerence, an immaculate housewife, a constant sense of Irish-Catholic morality. At least Jackie *thinks* that's the way she was. Don't forget she was all Jackie had after his father abandoned them when he was still a kid in school."

Someone else said, "Jackie's wife, Gen, was nothing like Alice." (Gen hated show business and Gleason's carousing, and their home life was a snarl. Gleason desperately sought the help of the church in keeping his marriage together and even went on a retreat to a monastery, but to no avail.)

The strange conversation continued, as if Gleason's Alice were a real person, not just a character on the TV screen. Someone said, "Do you realize that Jackie's only been interested in two women since he broke up with Gen? I guess you'd say they both have been closer to being his Alice than anyone. They're ladies, nice girls, not flashy, neat and moral in that old-fashioned Irish-Catholic way, not afraid to talk back to him. It's sad."

The Friday rehearsal at the auditorium started with another flap. Gleason walked in wearing a purple sweater and blue-and-gray-checked slacks and immediately began yelling that it wasn't cold enough in the building. When Miami Beach donated the auditorium to Gleason's use, tons of additional air-conditioning equipment were added at his request. The result is that frigid gales constantly sweep the structure, so much so that tablecloths and neckties sometimes flutter unnaturally during the taped shows. On this particular Friday morning the temperature inside was about 70 degrees instead of the 60 which he prefers. Outside it was a humid 88. It was explained to Gleason

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'People say I won't fly because I'm afraid of death. But if I was afraid of dying, would I eat and drink the way I do?'

JACKIE GLEASON

that the air conditioning goes on at eight A.M., and it takes time for a structure of that size to cool off. Gleason shouted, "It's gotta be cold in here. If a guy has to come in at *six* o'clock to turn the air conditioning on, let's *do* it."

On the stage a young dancer named Mercedes Ellington (Duke Ellington's granddaughter) shivered and said, "It's so cold, rigor mortis is setting in." Other girls sat huddled under orange blankets, which the stage manager had thoughtfully provided for them. One of Gleason's staff grumbled, "If he wants to be cold, why did he come to Florida?"

While everyone else shivered, sweat poured from Gleason's fleshy face as he and the cast worked their way through each scene time and time again. "No one realizes what hard work this is," said Gleason's partner, Jack Philbin. "What we're really doing here is the equivalent of one half of a full-scale Broadway musical comedy every week." By now Gleason was putting his remarkable creativity to work—filling out the bones of the script with his great range of facial expressions. Working his face and eyes like a precision instrument, he registered exaggerated surprise, anger, disgust, puzzlement—the full range of human emotions. He referred to this as "marinating." Carney watched in admiration. So did pretty, blonde Jane Kean, who was a passably good mugger herself when she was part of the TV and nightclub sister act, Betty and Jane Kean. Jane said, "Jackie *always* had that faculty of doing magic with his face. He's the only comedian around today who could have been a great star of silent pictures."

Jane told how she learned the art of "doing takes" by watching Gleason when she worked with him in *Along Fifth Avenue* and *Showoff*, two musical comedies of the early 1950's. But she was even more amazed than Sheila when he called her to work in his new version of *The Honeymooners*. "I hadn't seen him in ten years," she said, "and I didn't even think he knew I existed. I married Dick Linkroum four years ago, and what with helping Dick with his career as a movie writer and producer, I haven't been working much. Last summer Dick and I took an eighty-two-hundred-mile trip around the United States, and when we got back to California, there were eighteen messages from my agent. Gleason wanted me to play Art Carney's wife. There wasn't even an audition. That's the way Jackie operates. He knows what he wants, and he goes after it."

Jack Philbin said, "I don't know how much of a favor he did you, kid. You're the fourth banana, and the writers don't have enough funny lines to go around for four people. You've got to milk everything you can out of every syllable they give you." "I know," said Jane ruefully.

It was between scenes, and Gleason lumbered past, as morose as ever. He walked into his dressing room, bellowing for Eddie De Vierno to bring him more aspirin and more coffee. "What's the matter with him *now?*" someone asked. Philbin said, "It's his great impatience. He knows the show is in pretty good shape now, and he wants to get it over with. If something good is going to happen to him on Saturday, he wants to buy Friday and throw it away. It's like the way he is at Christmastime. He's like a little boy. He can't wait to open his presents."

In his dressing room Gleason was opening a gallon of red wine, brought to him by a local restaurant proprietor, and munching away at a huge pizza, perhaps three feet in diameter. He grunted. "I won't fly in airplanes because they make me uncomfortable, but people say I won't fly because of fear of death. If I was afraid of dying, would I eat and drink the way I do?" The subject of death launched him into a discussion of the supernatural. "It's funny how I got around to a study of things like that." he said. "A long time ago, when I was troubled, I read Butler's *Lives of the Saints*. This led me to wonder about stigmata and extrasensory perception, so I began to read all the books I could about paranormal psychology. I couldn't understand a lot of the stuff, so I read books on psychology. In order to understand *them*, I've been reading books on medicine ever since and working my way backward. And to think that in school I never got beyond P.S. Seventy-three in Brooklyn."

Gleason said, "I *believe* in extrasensory perception. I'm convinced there *is* such a thing. How it works, I don't know. Maybe that's why it appeals to me. I can't lick it. I just can't pin down what causes it. *Anything* I can't lick appeals to me." He slammed his fist angrily on the desk. "Maybe that's why I like golf," he said solemnly. "I just can't lick it."

That afternoon, after rehearsal, he played golf. Although he had moved 118 people to Florida so he could indulge his hobby 365 days a year, this was the first and only time he played all week.

On Saturday, the day of the taping, Gleason arrived strangely quiet and subdued. A subtle change had gradually taken place in the management of the show, and by now director Frank Bunetta had really taken over. He began the afternoon by trying to teach their simple lines to the Glea Girls, the statuesque beauties who open and close the program. Bunetta said to one vacuous maiden, "The word is 'in,' honey," and he spelled it "i-n." Another girl was having trouble with "Away we go!" (Gleason's trademark for 16 years), and Bunetta said, "Listen to me, honey. It's a-way-way-way-way we go-go-go-go-go." To a third girl, he said, "Darling, do all your blinking and wetting your lips and everything off camera. All right?" Gleason just listened moodily and said nothing.

He watched the June Taylor Dancers go through their now-perfected production numbers (Miss Taylor said, "The only direction Jackie ever gave me was 'Faster'"), and he went to his dressing room to do his endless rehearsing of lines with Carney, Sheila and Jane. They went through the entire show three times more on the stage while Bunetta perfected his camera angles. Carney was still clowning and ad-libbing, but Gleason wasn't. At one point Carney seized a prop statue

When each sequence is taped, Gleason and his staff meet to criticize the instant replay. The now-famous automobile-in-Italy scene at left brings an approving guffaw.

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and ad-libbed a passionate love scene with it. Everyone broke up but Gleason, who barely smiled. He had nothing to eat all day—not even a cup of coffee. "On the day of a show," he said, "coffee makes my throat close up."

At 7 P.M., Gleason went to his dressing room to be made up for the 8 P.M. taping, and at 7:15 there was a howl of terror emanating from his sanctum. "My throat's closing up," he screamed. "I must be allergic to this new makeup." Eddie De Vierno and the other members of the entourage deemed this to be enough of an emergency to require the presence of Jack Philbin, who walked in presently, dignified and unruffled. "That's the fanciest excuse I ever heard just to get out of wearing makeup," Philbin said to Gleason. "You're just tired. Why don't you have a belt of Scotch?"

"Thanks, pal," said Gleason.

By 7:30 every one of the 2,000 seats in the huge auditorium was filled. It was obviously Miami Beach's big Saturday-night event. Some people had come in evening clothes; others told how they had paid up to twenty dollars apiece to ticket scalpers in order to get the free seats.

At 7:50 an assistant shouted, "Ten minutes," and Gleason climbed into the little Italian car with Carney, Sheila and Jane, and while they sat there waiting for the show to begin, Gleason said, disconsolately, "What a way to make a buck."

At 8 o'clock the lights went up, the orchestra played the theme *Melancholy Serenade* (written by Gleason), the Glea Girls had their say, the June Taylor Dancers did their opening production number, and the car containing Gleason and the others was pushed out onto the stage. Instantaneously Gleason came to life. It was as if a great torrent of love had welled up from the audience and had infused him. Now he was in charge again, filling the stage with his massive presence. Carney muffed a line and Gleason picked it up with a skillful ad lib. Sheila took a wrong position, and he bumped her into the correct one.

After each scene Gleason ran back to his dressing room for his changes of costume, saying, "Pretty good," "It's going fine," and so on. Before the fifth and final scene, he said to De Vierno, politely now, "Eddie, I think it's time for some more makeup." This apparently was a habitual signal because the "makeup" Eddie produced was a bottle of Scotch. Gleason drained one third of it in a gulp.

He rushed back on the stage to do the final scene—and then it was over. The audience roared and stamped, and Gleason went out front to make his curtain speech. When he returned to the dressing room, there was an enormous grin on his face. It was the first time he actually had smiled since the beginning of the week, and now, for the first time, you could see what a handsome man he is.

There were 18 people crowded into the dressing room to see the playback of the tape on Gleason's monitor set. "More makeup, Eddie," said Gleason, and De Vierno passed him the remains of the bottle of Scotch. Jomar, the child actor, came rushing in, almost overcome with excitement, and for the first time that week Gleason treated him like a human child. He embraced him, called him "Pal," told him what a great job he had done, and made him sit on the arm of his own chair to watch the rerun of the taping.

The show they had just done unfolded on the screen and Gleason, sipping "makeup" all the while, made comments and passed out kudos. He said, "Great, Art," "Great, Sheila," "That was your line, Art." "Great, great, great, June." (While Miss Taylor's dancers were on.) He even complimented Eddie De Vierno, saying, "I caught your laugh, Eddie, and you were great."

When the show ended, everyone in the room applauded, and Gleason beamed. Then Marvin Marx said to Gleason, "That one was so good I think you're crazy if you do any more." Gleason's smile faded. "Yeah," he said. "How are we going to keep up this quality *next* week?"

At 11 that night there was a party for the principals of the cast and the entourage in the back room of a Miami Beach restaurant called The Embers. Gleason had announced the party earlier by saying, "Let's all go over to The Embers for a little relaxation after the show." Someone commented, "When Jackie talks about that kind of relaxation, he means only one thing. He seeks—and almost always achieves—oblivion. Tomorrow there will be a little more relaxation on the golf course, but after Sunday comes Monday—and the whole cycle begins all over again."

At The Embers that night Gleason's relaxation was quickly achieved. He sat at the head of a horseshoe-shaped table with Honey Merrill. The others—20 in all—sat stiffly around both sides of the horseshoe. Gleason ordered steak, and everyone else ordered steak. Gleason ordered the house salad, and everyone ordered the house salad. For those who were not sure, the waiters reminded them that that's what Mr. Gleason had ordered.

There was very little conversation. After the first few minutes Gleason's speech became thick, his great head sagged, and he spoke to nobody but Honey. Honey fed him his salad with her fork, as if he were a child. He never touched the steak.

At 11:45 Gleason struggled to his feet, bade everyone a courtly goodnight and then walked out with great dignity—on Honey's arm.

Everybody in the room sat quietly for a few minutes. Then they, too, rose and scrambled for the door. Monday morning, after all, was only 34 hours away. □

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The last campaign of boxing's last angry man

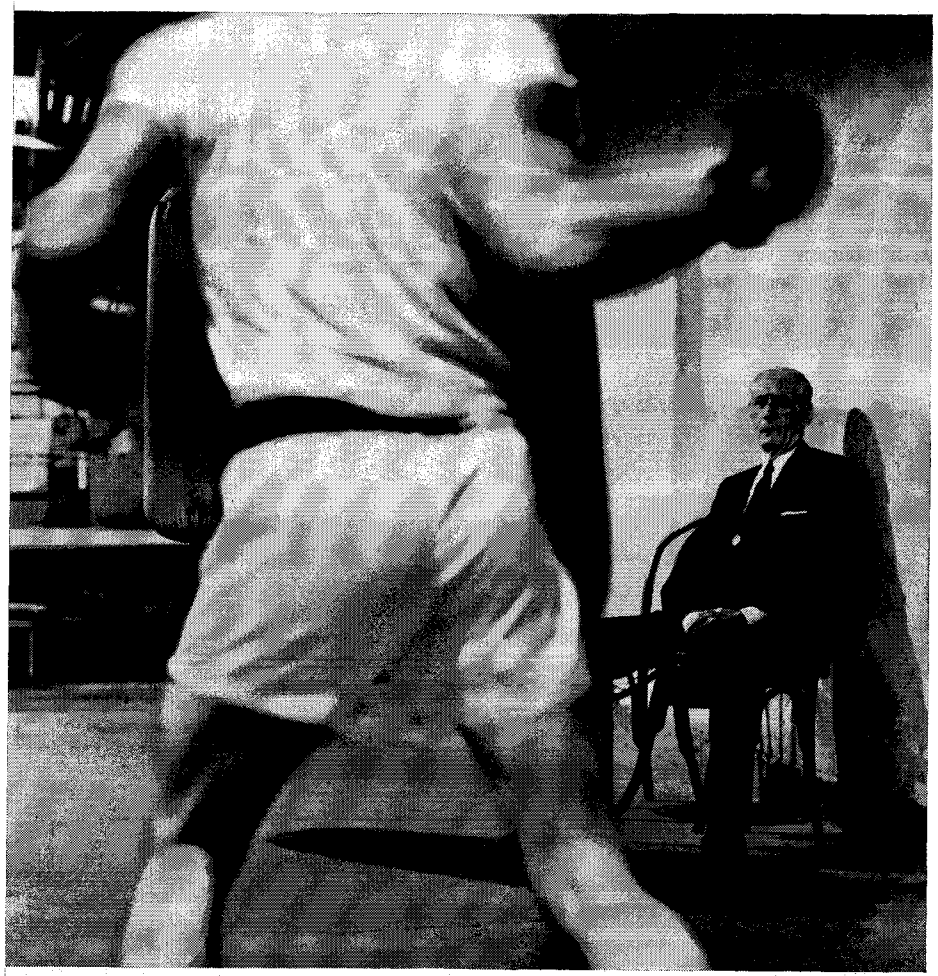
After 50 stormy years of managing fighters, Jack Hurley is starting again with a new boy.

I got into Seattle a week before the fight, and Jack met me at the airport. I hadn't seen him in eight years, but there he was at the edge of the crowd, craning his neck and then waving. He looked older, of course, and thinner and paler, and there was a dark green glass over the right lens of his bifocals.

"How are you?" I said, as we shook hands.

With Jack you always know what the answer to that one is going to be. The moment you ask the question you get the feeling that you're the straight man in an act.

"No good," he said.



He is always there, always studying the fighter, always searching for flaws.

That had to be the truth, though. He's wracked with the rheumatism he says he picked up in France during World War I, and in addition to that the surgical profession has been whittling away at him for years. A long time ago, like a lot of other people, he had his tonsils and his appendix out, and then, after he retired Billy Petrolle in 1934, they took two thirds of his stomach because of ulcers. While they were still trying to cure sinusitis with surgery, he had 23 operations, and recently I had read in *The Ring* that he had had cataracts removed from his right eye.

"Who hit you in the eye?" I said now.

"Ah," he said. "Cataracts, so I decided to go for the operation."

"Good," I said. "That's one they've become very proficient at."

"Don't I know that?" he said. "So what happens? When it's over, I say to the doctor, 'Now, Doc, I understand that after ninety percent of these operations, the patient's sight can be corrected with glasses to twenty-twenty. Is that right?' So he says, 'Well, that's about right.' So I say, 'But, Doc, I'm not gonna have twenty-twenty, am I?' He says, 'Well, no.' So I say, 'All right. How good is my sight gonna be?' He says, 'Well, pretty good.'

"Now wouldn't you know that?" Jack said, that pinched look of disgust coming over his face. "Ninety percent are successful, but I have to be in the other ten percent. Why?"

"I don't know," I said.

"Now tell me something else," he said. "What does he mean by 'pretty good'? Just how good is 'pretty good'?"

"I don't know that, either."

"I can't see a damn thing," Jack said. "Oh, hell, I can see some, but at the hotel I've already fallen down the stairs twice, and now I've gotta have the other eye done. How about that 'pretty good' though?"

He is 69 years old now and the last of the great old-time fight managers. Time has taken the rest of them—Jimmy Johnston and Jack Kearns and Pop Foster and Billy McCarney and Dumb Dan Morgan and the others. Television killed off the small fight clubs, and prosperity and the rise of reason have left boxing as an almost meaningless appendage to our society, and now Jack Hurley, starting all over again with a new young heavyweight, remains from what used to be.

"So how's your fighter?" I said now.

We were walking over toward the baggage counter. Any time you ask Jack to tell you about a fighter of his it's like giving a diabetic a shot of insulin.

"Wait'll you see him," he said, stopping. "Boone Kirkman. His first name is Daniel, so his friends call him Boone. For a while I thought I'd have him fight as Daniel Boone Kirkman, but then I figured that that kind of thing isn't any good anymore. Am I right?"

When he had Billy Petrolle, Jack named him "The Fargo Express." Petrolle was of Italian descent, but he had high cheekbones to go with his black hair and dark eyes, so Jack got him an Indian blanket to wear into the ring. Petrolle was one of the great lightweights and had one of the great trade names and one of the great trademarks of another time.

"You're right," I said now.

When Petrolle retired after 255 fights and built a new home in Duluth, he wanted to hang that Indian blanket on the wall of his den.

"But it's got blood on it," his wife said.

"Not mine," Billy said.

"Boone Kirkman," Jack was saying, "twenty-one years old, six-feet-one, one hundred and ninety-five pounds, and he comes to fight. Most fighters today, they're in there just to get enough money for an education or for the down payment on a house so they can get married. Not this one. All he wants to do is fight, and when that bell rings you know it.

"Just think of this. He's had four professional fights. Three of them went one round and the other guy lasted three. That's all, but Boone Kirkman knows more about fighting than any of those other heavyweights in the ring today. He actually knows more than the heavyweight champion of the world."

"I believe it," I said, because I know what Jack teaches a fighter.

"Isn't that terrible?" Jack said. "What do you think of that Clay?"

"Well," I said, "you've got to give him one thing. He's a fine natural athlete."

"Yeah," Jack said, that pinched look coming over his face again, "for track and field. What's that event where the one guy does everything?"

"The decathlon."

"That's right," Jack said. "Cassius Clay would be great in the decathlon. Why, they talk about his footwork. Hell, he's runnin'. Why, Dempsey would not only have chased him out of the ring, but he'd have chased him out of the arena and then right out of town.

"Wait'll you see this Kirkman, though," he said. "You're gonna get a thrill. I mean it. Wait'll you see the way he makes those moves. Have you ever heard me say that another fighter of mine reminded me of Petrolle?"

"No," I said.

"Well, this kid does," Jack said, "and that is my highest compliment."

Petrolle was the best Jack ever had and one of the best anyone ever had. He never won the lightweight title because Jack steered him away from it for years. Jack feels that once you win a

By W. C. HEINZ / *Photographs by Bill Bridges*

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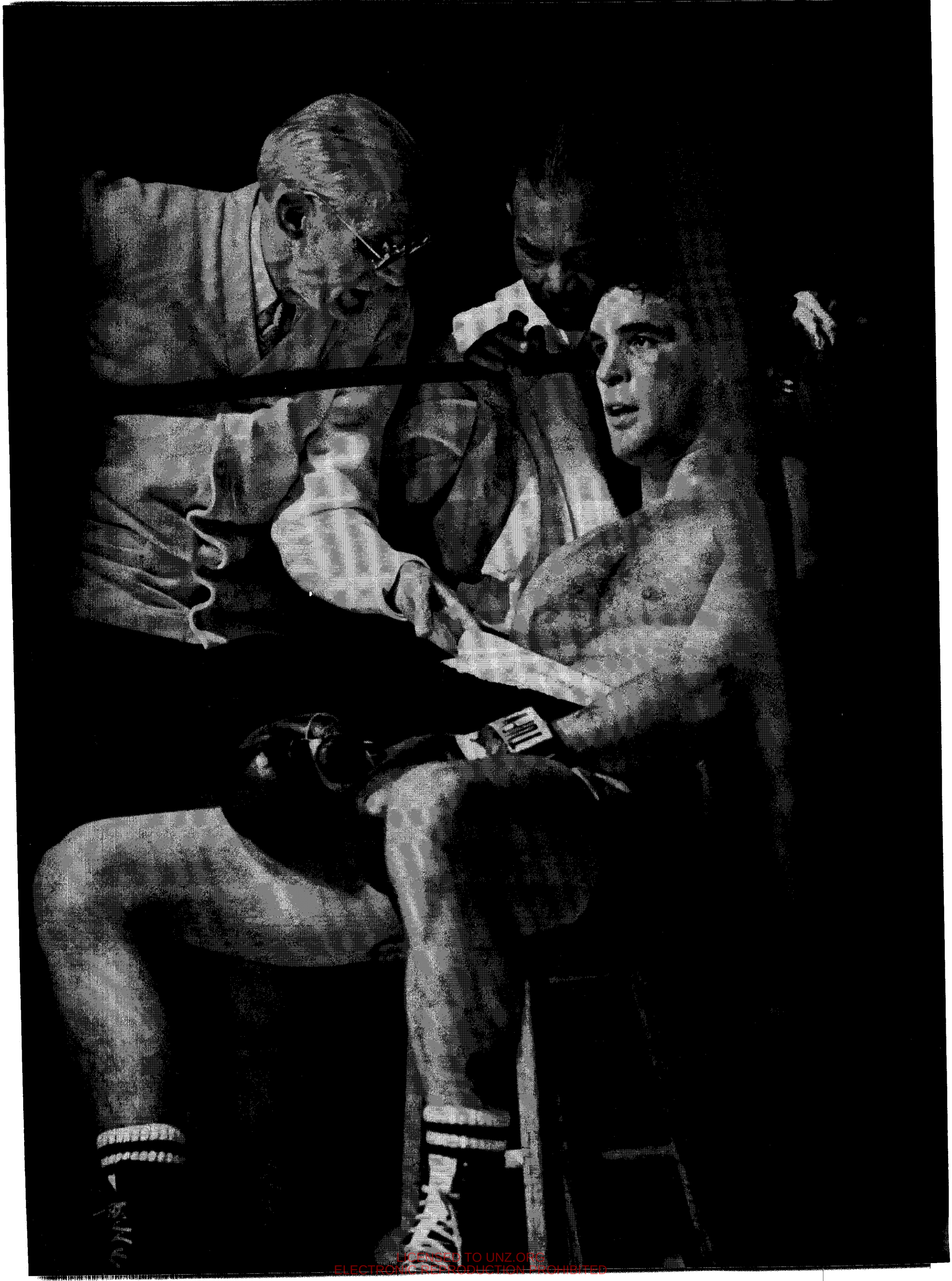

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title, the boxing commissions run your fighter, and he figured Petrolle could make better fights and more money without it. When Petrolle retired he had wins over Bat Battalino and Tony Canzoneri and Jimmy McLarnin, who held titles, and he had $200,000, which was a lot of money in 1934.

After Petrolle quit, the Associated Press ran a story saying Jack was looking for a new fighter, and a couple of hundred candidates showed up in Duluth. There wasn't a good prospect in the lot, and Michigan Street was so loaded with guys that the police department came after Jack, and he had to pay the fare home for half of them. Almost any other fight manager would have found a way to make a buck with some of that muscle, but when it comes to teaching a fighter, Jack is a purist.

In the 50 years he's been in the business, Jack hasn't had more than a couple of dozen fighters. For five years, in the '40's, he was the matchmaker and one of the promoters for the Chicago Stadium. Then a few years ago he filled in between fighters by beating the bushes as the advance man for the Harlem Globetrotters in the Northwest.

The two fighters of Jack's who had the best chance after Petrolle were Vince Foster and Harry Kid Matthews. Foster was a half-Indian welterweight out of Omaha who was all mixed up with whiskey and women and the Bible. The night in 1949 when he knocked out Tony Pellone in Madison Square Garden we all thought Jack just might have another Petrolle, but then Charley Fusari knocked Foster out in one in the Garden, and two months later he was dead in Pipestone, Minn., after running his car up the back of a truck.

Harry Kid Matthews was a light heavyweight out of Seattle who'd had 70 fights in 12 years and was getting nowhere when Jack took him on late in 1949. Before he was done with him, Jack actually started a congressional investigation to find out why the International Boxing Club wouldn't give Matthews a fight in the Garden. When Matthews finally did fight there, he licked Irish Bob Murphy in one of the all-time classic exhibitions of body-punching ever seen anywhere, and we thought Jack was on his way again.

"And he'll do the same with that Marciano," Jack was telling everyone then, "if I can just get him the fight."

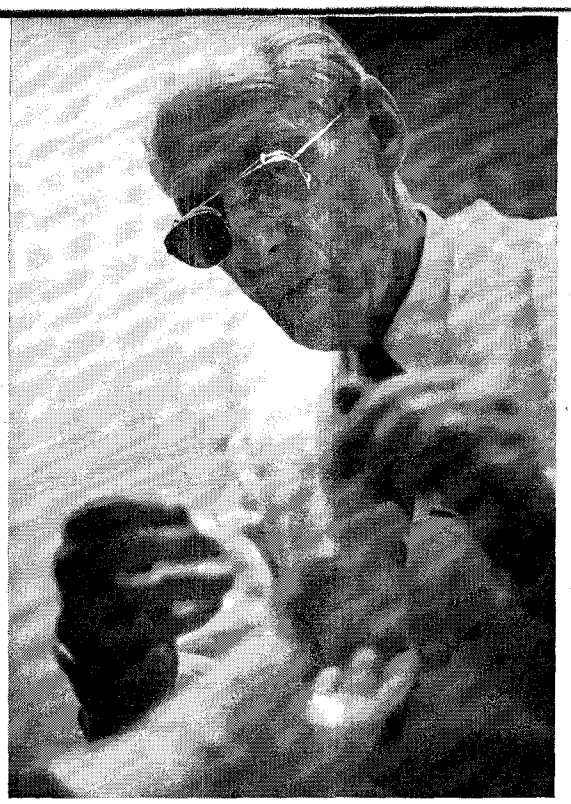
He believed it, too, because that's the kind of a pitchman Jack is. By the time he gets done selling the press and the public on one of his fighters he has sold himself, and he had $10,000 bet on Matthews when they climbed into that Yankee Stadium ring against Marciano. With all those good moves, though, Matthews couldn't hurt The Rock, but The Rock could hurt him and flattened him in the second round.

"Now isn't this something?" Jack said, when we got out of the cab at the Olympic. "I checked in here for a week to manage that Matthews, and I've been here seventeen years. You have to remember, too, that I got the two worst things in the world for this climate—rheumatism and sinus."

It was from room 679 at the Olympic, just big enough to contain the bed, the steamer trunk, the footlocker for his files and the desk to hold the 30-year-old Corona portable, that Jack sent out the publicity that, along with what he taught him about fighting, made Matthews into a leading contender and started the congressional investigation. At the time Jack was spending $10,000 a year for stationery, stamps and the newspapers that carried stories about him and his fighter.

"Don't write about me on Sundays," he used to tell his friends on the sports pages. "Sunday papers cost more and you're running up my overhead."

It was out of room 679, too, in 1957, that Jack promoted the Floyd Patterson-Pete Rademacher fight for the heavyweight championship of the world. Cus D'Amato was protecting Patterson then and he accepted Rademacher, who was the Olympic heavyweight champion but had never had a professional fight, as a likely victim and Jack as the logical promoter. It was good picking, because Jack forgot for a while that he has no use for amateurs and, out of his pockets and a box under the bed, he sold $74,000 worth of tickets. Then Rademacher, green as he was, had Patterson down in the second round before Patterson knocked him out in the sixth.



Deftly, he binds the fighter's fists with gauze and tape.

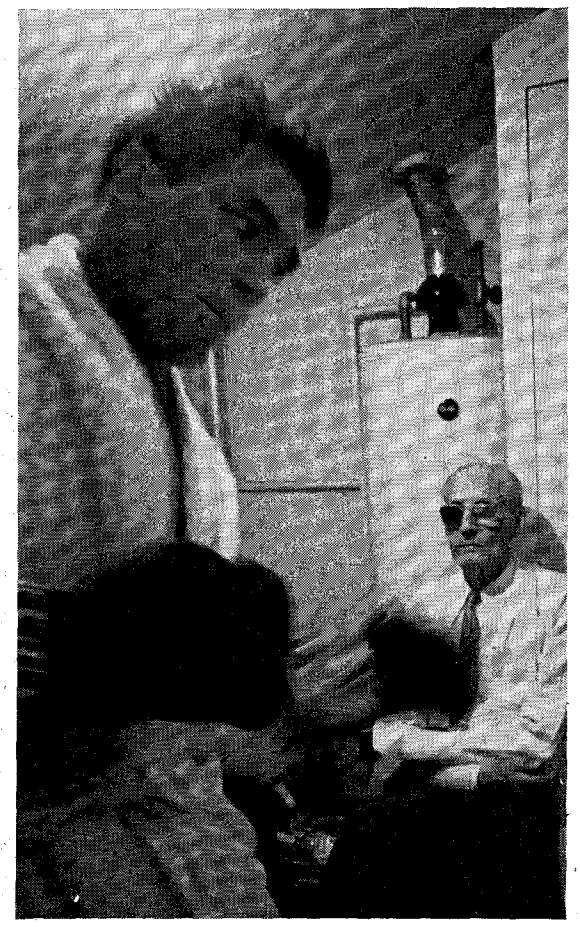
"Just think," Jack said, after it was over. "An amateur did this for me. I guess it just goes to show there's some good in everybody."

"All right," Jack said now, after I'd checked into my room and the bellhop had gone through all that business with the window shades and the closet doors and the bathroom light. "Let's go down and get something to eat."

"Eat?" I said. "It's the middle of the afternoon."

"You know me," Jack said. "You know I have to eat every three hours."

Jack hates to eat alone, and that's how Ray Arcel, who was training fighters then, came to call



"Loosen up," he tells the fighter. "Now jab, hook, jab."

him "The Life-Taker." Jack was around Chicago at the time. They had just taken away two thirds of his stomach, and he had to eat six times a day.

"It was during the Depression," Ray told me one night, "and Jack had just retired Petrolle and had money, so he'd take these poor guys who were half-starving to eat with him. Jack would have a bowl of soup, or milk and crackers, but they'd order big steaks. One guy ate so much that Jack had to buy him a new suit of clothes, and another one actually ate himself to death. That's how I came to give Jack the name."

They say around Seattle that while Jack had Matthews he used to spend $1,000 a month feeding sportswriters and cops and press agents and hangers-on. Whenever Jack had it, he spread it.

"When Petrolle was fighting," he told me once, "I loaned out sixty thousand dollars. I had it all in a little book. Then, when I had the ulcers and I went into the Mayo Clinic, I sent out eight letters and six telegrams to guys who owed me five hundred dollars and up. I never got one reply, and I've got seventy-five thousand dollars more standing out since."

So that first afternoon I walked Jack down Fourth Avenue to his favorite cafeteria and watched him have a bowl of soup and a sandwich and a cup of tea. Then we walked over to the Eagles Temple at Seventh and Union, where the fighter trains, and all along the way people recognized Jack.

"How are you, Jack?" they'd say.

"No good," he'd say.

"Why, Jack!" they'd say. "How are you feeling?"

"No good," he'd say.

That's the way Jack is. One noon he sat down with me in the restaurant in the hotel. He's been at that hotel so long now that just about everybody on the staff knows him, and when the waitress came over she was smiling.

"Why, Mr. Hurley!" she said.

"Hello, Hilda," Jack said.

"Mr. Hurley," she said, "you won't like what I'm going to say."

"What's that?" Jack said, squinting up at her.

"You're looking much better than the last time I saw you."

"Isn't that terrible?" Jack said to me. "You know that I set the world's record for those sinus operations. They found out with me that there's no sense in operating. I was a guinea pig for medical science, just a living sacrifice to make the world safe for guys with bad noses."

That first afternoon, though, when we looked at Jack's fighter, I could see why Jack was high on him. He's a dark-haired, dark-eyed kid who looks right at you, and you can tell that he's not going to be cowed by anybody or anything. He's got a good pair of legs, but the best of him is up in the arms, chest and shoulders, and he's just the right height to carry 195 pounds and still get under those big stiffs who stick out a left hand and think they're boxing.

"How long have you wanted to be a fighter?" I said to him that first day, watching him wrap his hands in the soiled gray gym bandages. Jack doesn't pamper his fighters.

"Since I was a little kid, I guess," he said. "My Dad used to tell me about Dempsey, and now he says I look like him."

"Were you a street fighter?"

"Yeah," he said, looking up from the bandaging and smiling. "I was always lookin' to fight somebody. You know, just for the fun of fightin'."

"Have you got a job now?"

"That's right. I'm a pipe-finisher. Those manhole pipes."

"Five days a week?"

"Six," he said. "Weekdays from six in the morning till three-thirty in the afternoon, six to two-thirty on Saturdays."

"When do you do your road work?"

"Well, I get up at three-forty-five."

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'You raise him like a baby. You teach him to survive, to make his first steps. You bring him along.'

"And you run in the dark?"

"Around the high-school field in Renton," he said. That's where he lives with his folks, 12 miles south of Seattle.

"You see?" Jack said. "He's not like these pantywaists they call fighters today."

They have the ring set up in a second-floor room at the Eagles Temple. The room is about 35 feet long and about 12 feet wide, and the ring, old and with the canvas soiled and torn, fills the far end.

"So he was the 1965 National A.A.U. heavyweight champion," Jack was saying while the fighter was getting into the ring, "but he was like all amateurs—awkward and overanxious and just a wild right-hand swinger. For six months, every day, we worked on the footwork. His stance was too wide, so I had to tie his feet together with shoelaces and a piece of inner tube that would give about two inches. He'd walk with it, shadowbox with it, and this is a long, tedious thing. You get so sick and tired of it, but it's balance and leverage that make punching power.

"All right," he said to the fighter. "Move around. Let's see how fast you can move. Now slow it down. Good.

"You see?" Jack said to me. "He slows the action down to where he wants it—to one punch. I've taught him that speed is detrimental, because if you're moving fast you're also moving your opponent fast. If you're out hunting, would you rather shoot at a slow-moving or a fast-moving target? It's the same thing. He's been taught how to put two thirds of that ring behind him. He doesn't want it, but those jabbers and runners do, and he deprives them of it."

Jack had the fighter box three rounds then, but there's the same shortage of fighters in Seattle as everywhere else, and the light heavyweight he was in with had been around Jack and the fighter too long. As soon as the fighter would start to build up a move, the light heavyweight would know what was coming, but you could see one thing. You could see that this Kirkman is another Hurley fighter, and if you know anything about fighting, you can tell a Hurley fighter from the others as easily as an art expert can tell a Rembrandt from something by Harry Grunt. Ever since Jack worked it out with Petrolle, those Hurley fighters have come out with that shuffle step, the hands low and in punching position, and they just invite you to lead so they can move off it, step in and knock your block off with the counter.

"But don't you see?" Jack was saying to the fighter when it was over. "You were jumping in instead of sneaking that right foot up. You gotta sneak it up so they don't know it's coming. They think you're just jabbin', but that's only the camouflage so you can move the artillery up behind the jab. I don't even care if the jab misses."

Boxing is like a chess game to Jack. It's all position and planning your punches two and three moves ahead, and I can remember Jack telling me he's always been able to look at two fighters and tell in a round exactly what each has to do to lick the other.

"I don't know why it is," Jack said once. "There are guys who have never seen a piano before who can fool around with one for a few minutes and then play something. I could sit at a piano for three years and I wouldn't be able to play *Home, Sweet Home*, but I can figure fighters."

Jack is out of Fargo, N. Dak. He was 13 when his father, who was a switchman on the Canadian Northern, was killed pulling a coupling between boxcars, and Jack, who was the second oldest of five kids, had to go to work.

He started selling papers at Broadway and Northern Pacific in Fargo, and when you're guarding a corner you learn how to fight. Also, there was a gym in the basement of Saumweber's barbershop in Moorhead, Minn., just across the Red River, and Jack used to hang around there. It was as natural for Jack to execute boxing moves as it was for him to take a deep breath, but he found out that he just didn't have the body for it.

"Then I got the idea of using the talents of others," he told me once. "I figured that if I could get half-a-dozen kids and get them each a fight a month, I could make more money than if I was fighting myself."

Jack was 18 when he started managing fighters, but when the war came, Jack dropped them and got into it. He was with the First Division, and for a while they were in a town called Heudicourt in the St. Mihiel sector, and the British sent in a sergeat major named Cassidy to teach them the bayonet manual.

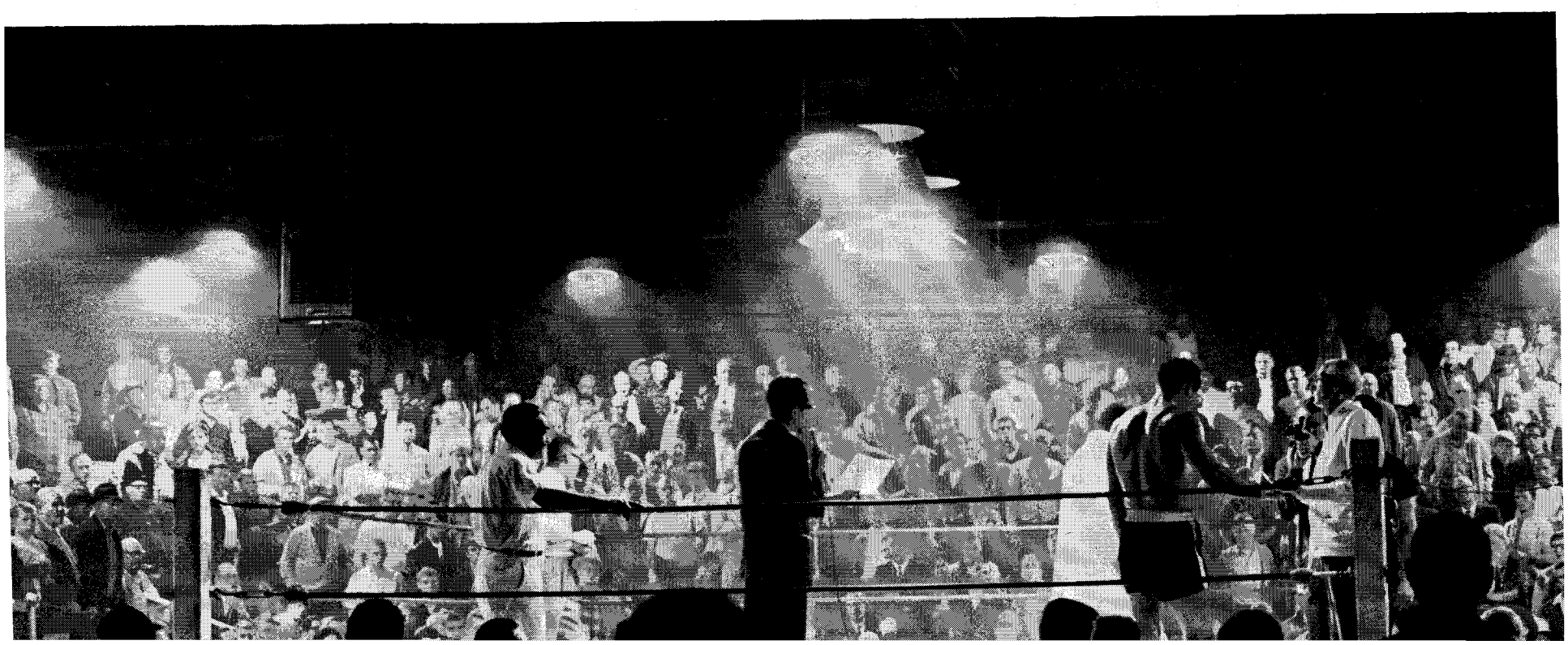
"He was a miserable s.o.b.," Jack said, "but he knew his business. He'd stand there unarmed, with his hands down at his sides, and he'd say, 'Stick me!' You'd have your rifle with the bayonet fixed, and you'd make a lunge at him, and you'd miss. Maybe the next time you tried your rifle would go flying up in the air, or you'd get the butt of it under your chin."

Jack said this Cassidy did it all with feinting and footwork. He'd draw you into a lead, and that would be the last you'd have to do with it. You'd be the one with the bayonet, but you'd still be helpless.

"I used to go and see this guy at night," Jack told me. "His stuff fascinated me, so one night I said to him, 'This puts me in mind of boxing.' He said, 'The bayonet manual was taken from boxing. If you're standing in the on-guard position and I take the rifle out of your hands, you're standing like a boxer. Now I put the rifle back in your hands, and at the command of "long thrust!" you make a left jab. Now you move your opponent out of position, and you come up to hit him with the butt. Isn't that the right uppercut?'"

It was the footwork that got Jack, though. This Cassidy would stand right there and he wouldn't move his feet more than a couple of inches and still they couldn't reach him with the bayonet.

"If a boxer would master this shuffling style," Cassidy told Jack, "he'd be as safe as I am now and he'd save all those thousands of fancy steps."



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'Now you know what it takes to be a fighter— you have to live it, sleep it, eat it.'

JACK HURLEY

"And can't you see it now?" Jack said, when he told me the story. "As you look back on Petrolle, can't you see where I got that famous shuffle step?"

Jack had booked Kirkman into Boise, but we didn't have to go over there until two days before the fight, so for five days I followed Jack around Seattle. With Jack eating every three hours and not going to bed until two or three in the morning because he has trouble sleeping, we spent a lot of time sitting around restaurants and cafeterias and the lobby of the hotel with Jack's cronies, talking about the way things used to be and the way they are now. That's Jack's one hobby.

"Isn't it terrible, the condition the fight game is in today?" Jack would say. "You wouldn't believe it, would you? A lot of Johnny-come-lately booking agents who call themselves managers and don't know the first thing about it. Amateurs! Why, amateurs just clutter up the world.

"Look at what that television did, too," he'd say, "and it'll do it to pro football next. Why, you can't give your product away free and have people still respect it. That TV just cheapens everything it touches. It would even cheapen the Second Coming."

"And how about women?" I said to him one night, playing the straight man again. "Have you explained women to this fighter?"

Jack made one unhappy try at marriage, and women are another of his pet peeves. Jack wants his fighters to be fighters and nothing else. He wants them to be the fighter he'd have been if he'd had the body for it, and he's always afraid that some woman is going to spoil all his work and wreck all his dreams. He's always afraid that some woman is going to come between him and his fighter, and over the years some of them have.

"The 'creatures'?" he said now. "I've explained it all to him. I've told him, 'Look, marriage is for women and kids, and it's expensive. You've got to be able to afford it. Your best chance to make a lot of money is to become a good fighter, and then you'll be able to afford marriage.' He understands the point.

"Did I ever tell you," Jack said, "about the fighter I had who started looking at the creatures, and one day he went to the movies? When he came back, I said, 'How was the picture?' He said, 'It was good. It was a Western.' I said, 'Any dames in it?' He said, 'Yeah, one.' I said, 'How many guys were after the dame?' He said, 'Three.' I said, 'Anybody get killed?' He said, 'Yeah, two.' I said, 'The dame one of them?' He said, 'No. Just two of the guys.' I said, 'There! Doesn't it figure? Don't you see how the odds are stacked for those creatures?' It didn't do any good.

"Then I had another one," Jack said, "who was starting to think he was in love. You can tell when they don't have their minds on their work, so one day we're walking along the street and the light changes, and I said, 'Wait a minute.' Next to us is this creature with a little creature, about three or four years old, and the little creature is all dolled up and has a little pocketbook. I nudge the fighter and I said to the little one, 'Hello, little girl. That's a very nice pocketbook you have there. Do you have any money in it?' So she says, 'Yes, three pennies.' So the light changes again and they go on their way, but I say to the fighter, 'Don't move.' Here comes another creature now with a little boy, and the light changes again, and they stop. I nudge the fighter again, and I say to the little boy, 'Say, son, that's a nice new suit you're wearing. Do you have any money in your pocket?' The little kid looks up at me, and he shakes his head, and he says, 'Nope.'

"So I say to the fighter, 'You see that? That little creature with the pocketbook is being educated in how to handle money. This poor little mule here is being taught nothing. All he'll be taught when he grows up is to bring the paycheck home each week to the creature. Don't you see that?' You know what the fighter said to me?"

"No," I said.

"He said, 'But, Jack, my girl is different.' Now the light changes again, and this time I go *my* way. Isn't that terrible?"

Late every afternoon, of course, we'd be over at the Eagles Temple, with Jack hounding the fighter. No matter what the fighter would be doing— boxing, shadowboxing, punching the bag or skipping rope—Jack would be after him.

"No, no," Jack would say, the fighter shadowboxing around the ring. "Don't set your feet. Just walk. Now the left hook to the head. You're too tense. Just turn with it. All right. Now you jab, and the guy is a runner, so you're too far away. Now you gotta step again. Now the guy is pulling away, so you gotta throw three punches, but only one is gonna land. Good. Now you're with a guy throws a uppercut. Now turn away so it misses and throw the right hand up into the body. Good.

"You see?" Jack said to me. "He's like a pool player, practicing those draw shots. He's gotta get that ball back there, so he practices hour after hour until it becomes instinct. Like a pool player he's also playing position at all times, and you know how long this practice lasts? His entire career. He'll still be learning when he quits, and you know something? If he's having trouble hitting a left hook to the body, it's nothing for me to sentence him to two weeks of doing nothing else. He wants to learn it to get rid of me.

"All right now," he'd say to the fighter, "you're in there with one of those runners, so you don't want to scare him or he'll start running again. Easy now. Left hook to the body. No, no. Let him see it. Start it back farther so he'll be sure to see it, because you want him to drop his hands. Good. Do that again.

"You see?" Jack said to me. "Other guys breed fear, but then it's like cornering a frightened pig. This guy has been taught to encourage them, to make them feel safe. He'll sometimes miss a jab to give 'em courage, and Petrolle even had the facial expressions to go with it. The first thing you know, he'd catch those suckers walking right in."

The last afternoon, though, Jack was discouraged. We had to be in Boise the next day so Jack could go on TV and radio and talk up the fight, and the fighter was going to come in two days later, just in time for the weigh-in, with Marino Guaing, the little Filipino who trains amateur fighters around Seattle and helps Jack.

"No, no," Jack was saying, to the fighter, watching him hit the big bag. "The left hook is too tight. It's got to be looser. Just throw it up there. No good. Your feet were off the floor. No. Bend those knees a little. It's like you're on stilts.

"Isn't that terrible?" Jack said to me, turning away from the fighter and shaking his head. "He never did that before. You gotta watch 'em every damn minute of every day.

"Now start soft," he said to the fighter. "Easy. Now increase the power a little. Now you're going stiff-legged again. Start over."

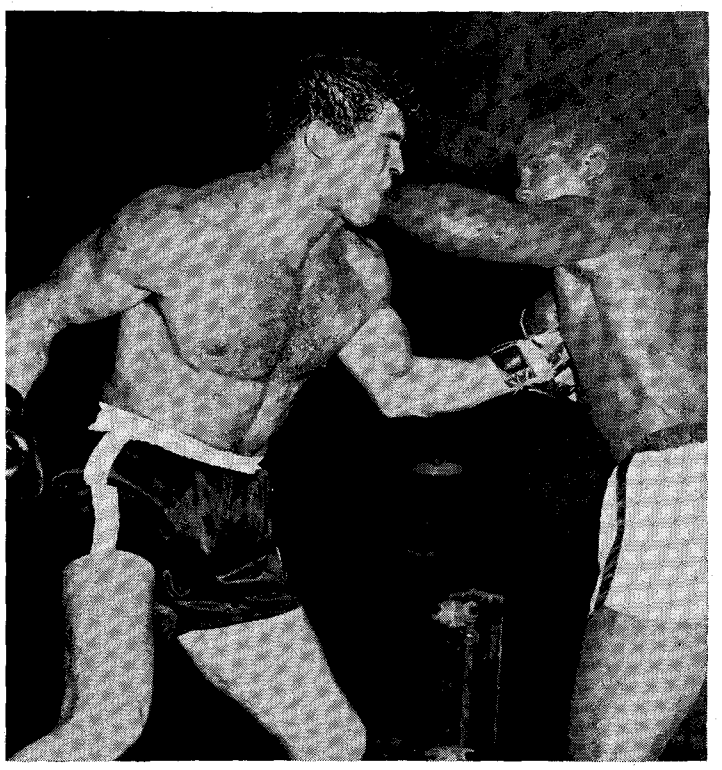
The sweat was dripping off the fighter's chin. The floor under the bag was speckled with it, but Jack was still unhappy walking back to the hotel.

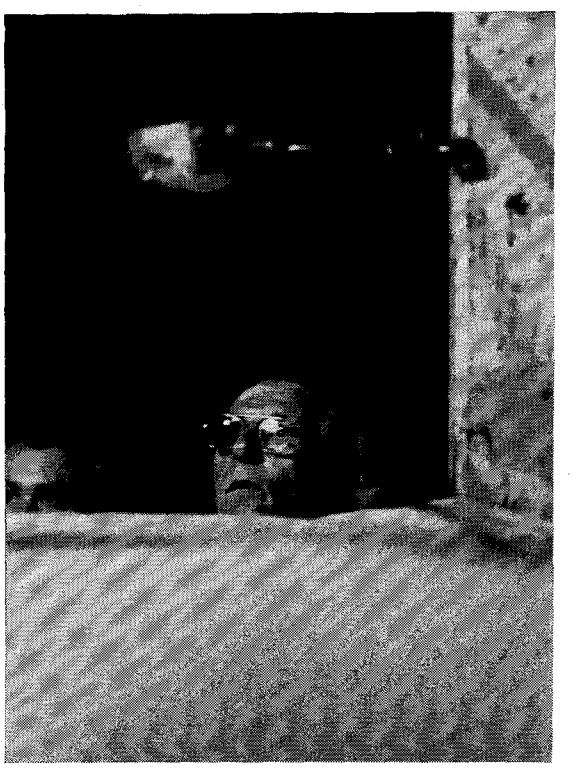
"Now where would he have picked that up?" he said. "You see what I mean? He picks up a bad habit, or he goes on the road and he steps on a pebble and he turns his ankle. He's liable to sleep with the window too wide and catch cold. He comes to the gym and he may get his eye cut or hurt his hand.

"That's why," Jack said, "when you manage a fighter you end up with cancer, heart trouble or ulcers. I took the least."

"But look at the rewards," I said, hoping to kid

(continued on page 47)





The fighter lands a body punch but looks like an amateur, and Hurley, watching transfixed, says, "Isn't that terrible?"

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You only have to call them once when there's Chicken Noodle Soup for lunch

This lunch will never get cold waiting! Campbell's Chicken Noodle Soup is the children's own special favorite. They love those generous plump noodles. That tasty chicken broth. Those bite-size chunks of tender chicken. Want your children to come running? Reach for the Campbell's. It's right on your shelf.

You always eat better with Campbell's

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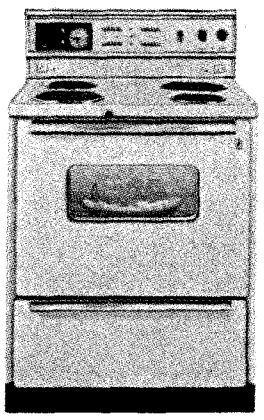
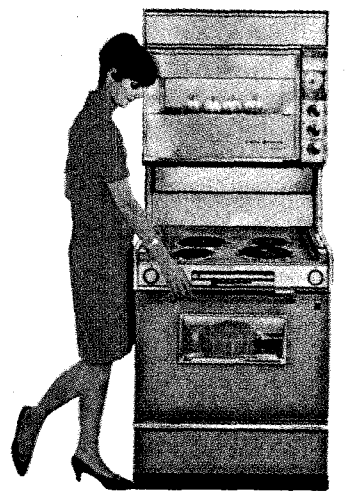
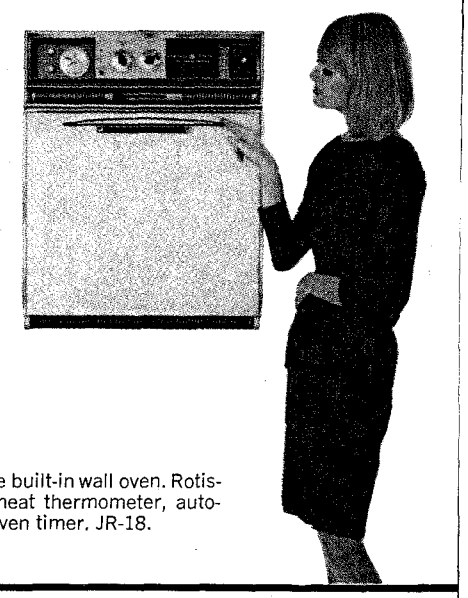


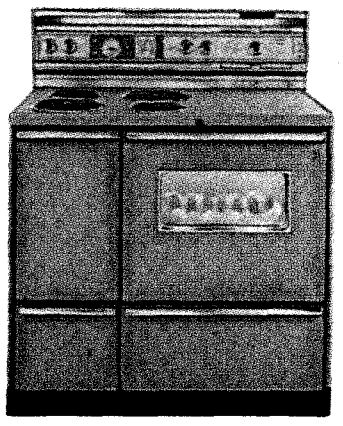
Handsome 30″ free-standing model. Elegantly trimmed oven window, interior oven lamp. J-339.



30″ Americana.® Meat thermometer, rotisserie, second oven at eye level, automatic Sensi-Temp. J-797.

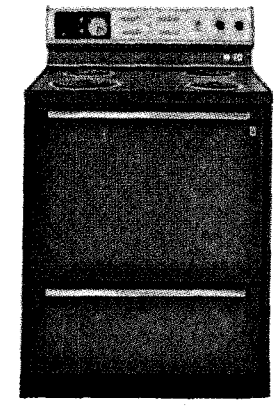


24″ wide built-in wall oven. Rotisserie, meat thermometer, automatic oven timer. JR-18.



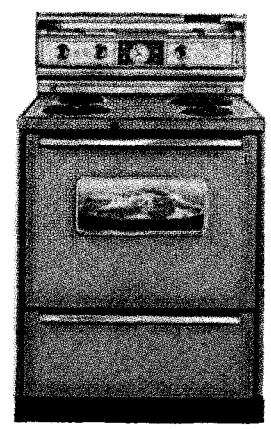
Meat thermometer, rotisserie in P-7 master oven. Second oven has removable door. 40″ J-487.

P-7 Self-Cleaning Ovens are available in 5 different types of models.
(Many other P-7 models not shown here.)

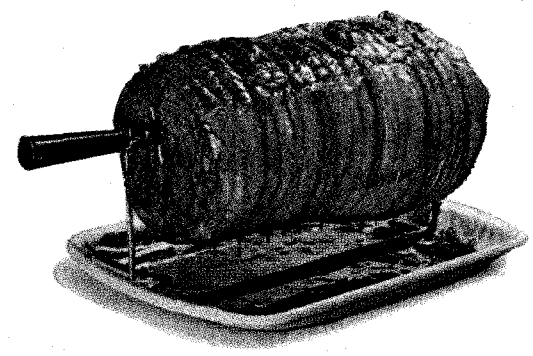


Budget-priced 30″ model. Push-button controls, interior lamp, high-speed surface units. J-332.

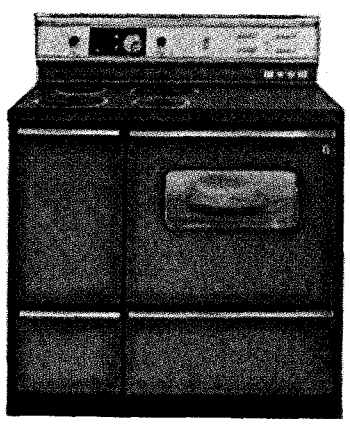
Big 27″ built-in oven. Oven timer, fully automatic, interior lamp. JK-12.



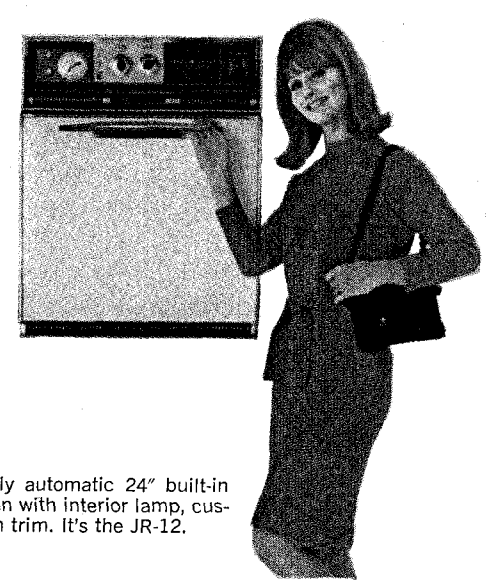
Custom 30″ free-standing model. Rotisserie, automatic Sensi-Temp surface unit control. J-349.



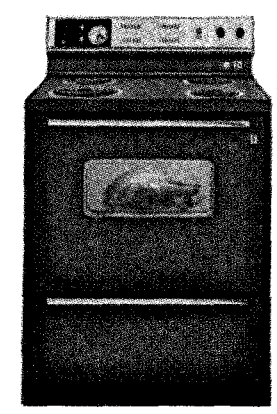
Sizzle away. Spattery roasts are no trouble to a P-7 Self-Cleaning Oven.



40″ range with convenient push-button controls, fully automatic oven, timed appliance outlet. J-439.



Fully automatic 24″ built-in oven with interior lamp, custom trim. It's the JR-12.



30″ free-standing range with handsomely trimmed oven window, high-speed surface units. J-333.

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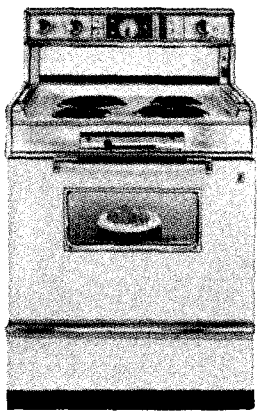
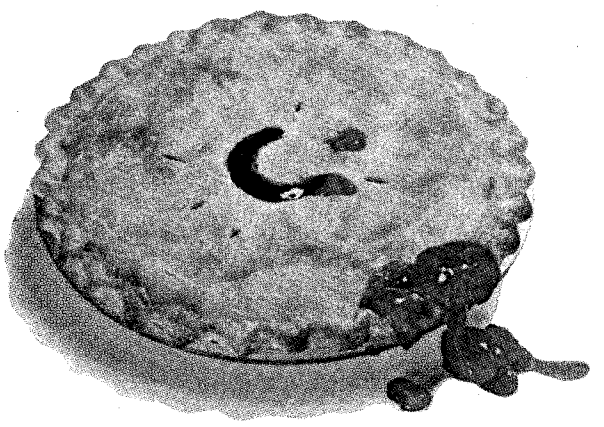
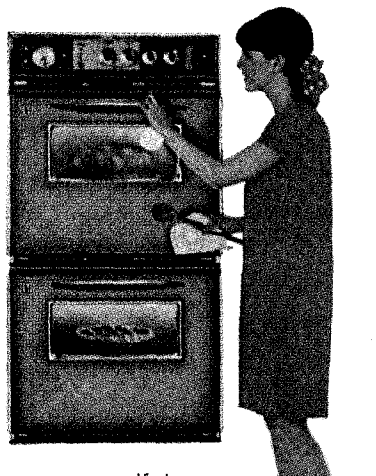


Oven has meat thermometer, rotisserie. Automatic Sensi-Temp. It's the J-757, 30″ wide.

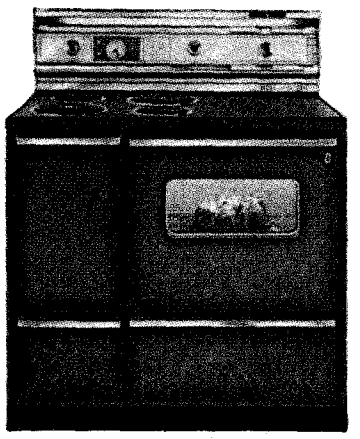


Let 'em drip! The P-7 Oven cleans itself, while you take it easy.

I love to bake pies. I hate to scrub ovens. What do I do now?

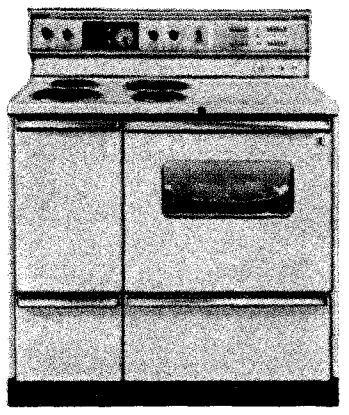


h full-size ovens are self-clean-
Rotisserie and meat thermom-
in upper oven. JK-29.



Custom 40″ range. J-449 with rotisserie in the P-7 master oven, automatic Sensi-Temp control.

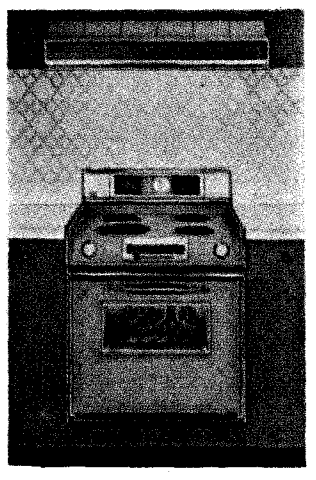
Now get a new G-E P-7 Self-Cleaning Oven. There's one to fit your kitchen, your budget.



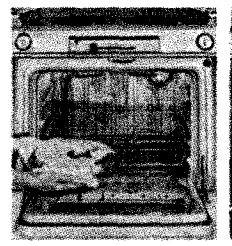
40″ J-479. Push-button controls, second oven, interior oven lamps, timed appliance outlet.

Has meat thermometer, oven timer, rotisserie, minute timer, 27″ built-in model. JK-19.

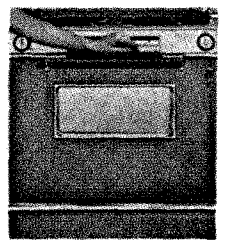
ericana® 30″ range. Rotisserie, meat thermom-
, automatic Sensi-Temp unit control. J-787.



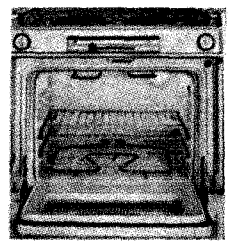
Mark 27. Only 27″ wide, high-speed surface units, fully automatic oven, rotisserie, interior lamp. JM-87.



Don't touch this dirty oven.



Just set the controls...



it cleans itself electrically.

Oven scrubbing is dead! The drips, the dribbles, the spatters can't faze a P-7® Oven. This incredible labor saver is now available on a range or built-in to fit almost any kitchen, any pocketbook.

About 7¢ a cleaning!* With P-7, the same electric elements you cook with also clean the oven. And that's new-clean, shiny bright, even the parts you couldn't reach properly before. Would you do the same job for 7¢?

Total cleanability! You can even clean the surface unit drip trays right in the P-7 Oven. Besides self-cleaning ovens, all other G-E range parts lift up, lift out, or are readily accessible for easy cleaning.

Most practical conveniences including oven windows. Look for features like double ovens... push-button controls... high-speed Calrod® surface units... oven rotisserie... meat thermometers... exclusive Sensi-Temp® automatic surface unit controls... and much, much more.

Isn't it about time you let G.E. take over one of the messiest jobs in the kitchen? There's a P-7 Self-Cleaning Oven Range or Built-In to suit your needs—beautifully. If you already have a built-in oven, your G-E dealer can probably fit the existing enclosure with a P-7 Oven model. And that means low installation costs. Incidentally, your dealer now offers a complete line of beautifully styled G-E exhaust hoods.

*Based on rate of 2¢ per K.W.H. for electricity.

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Revolutionary new health plan lets you

TAKE THAT "TRIP OF YOUR DREAMS" AS YOUR PRIZE FOR STAYING WELL!

PHOTO COURTESY OF MATSON LINES

Life's more fun when you feel secure against medical bills. It's twice the fun to know you can take that "trip of your dreams" as your prize for staying well. Sick or well, you must collect.

Thousands of Americans will take the wonderful "Dream Trip" they've had their hearts set on . . . and they'll take it with cash they collect for staying well!

Other folks will spend their cash refund for good health on a vacation cottage . . . hobby equipment . . . even put it in the bank! It's theirs to use as they please, with no strings attached!

This "Prize for Staying Well" is one of the remarkable benefits you get with a new kind of health insurance, now available from one of the oldest and largest insurance companies in America. You can "have your cake and eat it too", because this new plan *guarantees* you'll collect on your health insurance—even if you never have a sick day in your life.

Steadily rising medical costs mean that 7 out of 8 Americans no longer have enough health insurance to pay the big bills if they are sick or hurt. Hospital charges now average an all-time high of $46.47 *per day* . . . and experts say that this figure will climb even higher in the months ahead.

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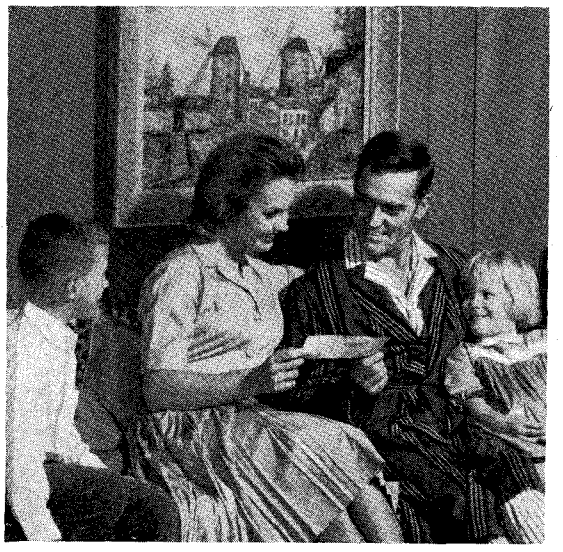

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The story of Medicare's tax savings—plus the new Money-Back plan and "Over-65" plans to supplement Medicare—is told in the Gold Book, an informative booklet offered free by Bankers.

****To get your free copy of the Gold Book, simply fill out and mail the postage-free airmail reply card bound in next to this page. There is no cost or obligation.*

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Jack out of it. "How about all that fame and fortune?"

"Yeah," Jack said. "You want to know something? This guy, with all his shortcomings, will become a good fighter because he's learning his trade and the other guys aren't. You think he'll ever get any credit for it though?"

"No," I said.

"Of course not," Jack said. "I've told him that. Why, Petrolle would spend six rounds setting the other guy up and, after he'd belt him out, they'd say, 'My, he was lucky.' I've told this guy, 'You'll never get any credit. They're just gonna think you're lucky.'

"You raise him like a baby," Jack said. "That ring is a terrible place to be if you don't know what you're doing in there, but you teach him to survive. You teach him how to make his first steps, and you bring him along until he becomes a good fighter and starts to make money. Now, when you come into the ring with him you don't do nothin'. He's a professional fighter. He doesn't need people pawing at him and dousing him with water and tiring him out. He needs a little quiet advice, but no one sees that, so they see me up there, and they say to the fighter, 'What's *he* do for you?' Twenty guys say it and it means nothin'. By the time eighty guys say it, though, the fighter forgets. This one will too.

"I'll tell you," Jack said. "Regardless of the outcome, this is my last fighter."

At 7:30 the next morning I met Jack in the lobby, and Harry the bellhop carried our bags out and wished Jack luck. In the cab on the way to the airport Jack was looking at the heavy traffic heading into town.

"Look at the mules," he said. "Isn't that terrible? At four-thirty they'll all be heading the other way to take those paychecks back to the creatures. When I started out my mother wanted me to get a steady job. I said, 'Mom, a steady job is a jail. I see these fellas I grew up with here, and they're in prison ten hours a day. I want to see something, go somewhere, and I can make a living doing it.'"

He has. I just looked up Petrolle's record again to see some of the towns they hit together from 1924 to 1934—Sioux City, Hartford, New York, St. Paul, Newark, Milwaukee, Grand Rapids, Duluth, Chicago, Philadelphia, Akron, Bismarck, Indianapolis, La Crosse, Cedar Rapids, Schenectady—and he took Matthews to London.

"You care where you sit on the plane?" Jack was saying in the cab.

"No," I said.

"I like to sit over the wing," Jack said. "It kinda gives you the feeling you've got something under you. Besides, I couldn't sleep last night. I think I slept an hour, so I want to grab a little nap."

We were the first on the plane, and I had Jack take the window seat. I reached up and got him a pillow, and he had just settled his head back and closed his eyes when I heard the small voice right behind us.

"Eee choo-choo, Mamma?" the voice was saying. "Eee choo-choo?"

"No," the woman's voice said. "Not choo-choo, dear. Air-plane."

"Eee choo-choo?"

Jack opened his eyes. He had that pinched look on his face again.

"Isn't that something?" he said, shaking his head. "With the whole plane to pick from I gotta draw a creature and her kid. Wouldn't you know it? Ninety percent of those eye operations are successful, too, but I gotta be in the other ten percent."

It didn't make any difference, because Jack wasn't going to sleep anyway. We weren't off the ground more than 20 minutes when Jack's rheumatism started to act up, and he had to stand in the aisle, holding onto the arm of the seat, almost all the way to Boise.

"Isn't that terrible?" Jack said, as we were getting off. "A whole plane, and that creature and the kid have to sit behind us."

"But he was a cute kid," I said.

"Yeah, you're right," Jack said. "I took a look at him, and he was."

Then Jack really went to work. After we checked into the hotel we walked down Main Street to Al Berro's place. Al Berro is the local fight promoter, but for a living he runs the Bouquet Sportsmen's Center. The Bouquet has one of those long Western bars down the right side, with the meal for the day chalked on the blackboard at the far end, and along the other wall a half dozen tables with faded green baize covers and the nine-card joker rummy games going.

"Am I glad you're here!" Berro said, shaking Jack's hand.

"How's it look?" Jack said.

"Fair," Berro said. "I think we'll do all right, but I've got you lined up for the radio and TV. You ready to start?"

"I guess so," Jack said.

In the next eight hours, with Berro driving him around town, Jack was on two television and four radio stations, and at nine o'clock that night he was over at *The Idaho Daily Statesman*.

"Now what brings you to Boise?" one of the writers would say, as if he didn't know.

"Well, I've got Boone Kirkman boxing Archie Ray, from Phoenix, at the Fairgrounds arena on Thursday night," Jack would say. "My best friends in the boxing game tell me I may be making a mistake, though, because my fighter has had only four fights and Archie Ray has had twenty-three, with eighteen wins, ten by knockout."

"What's going to happen at the Fairgrounds arena on Thursday night?" another would say.

"Well, it's hard to tell," Jack would say. "All the people in the fight game tell me Archie Ray is gonna lick my fighter for sure, but of course I don't think so."

"Jack, is Boone going to shoot for a first-round KO," another would say, "or is he going to play with this fella?"

"He doesn't play with anybody," Jack would say. "You see, all my boxing friends tell me Archie Ray is gonna be too much for my guy, but we'll find out Thursday night at the Fairgrounds arena."

Jack did some job. Knowing how he feels, and that he hadn't slept much the night before, I was amazed that he got through that day.

"Ah, I don't have the enthusiasm anymore," he said, when we got back to the hotel.

"You've got me beat," I said.

"I'm old and I'm sick and I'm tired," he said, "but you can't let the bastards know it. They'd kill you. There's nothing I'd like better than to sit back in that rocking chair."

"I don't believe you," I said.

"One of these days," Jack said, "I'll just check in at that veterans' home and say, 'Well, I've gone as far as I can.' You know I've got my burial suit, don't you?"

"No," I said.

"I've had it for years," Jack said. "Every once in a while I try it on to see that it still fits. I had a thousand-dollar insurance policy I sent to my brother over in Fargo. I said, 'When I check out, this is for the burial, but nothing fancy. Just have them sharpen the feet and drive me into the ground.'"

On the day of the bout, the fighter and Marino, the trainer, got in about 20 minutes before the one o'clock weigh-in at the state capitol. When we got back from that, Jack had the fighter rest until 3:30, and then we took him to the restaurant across the street from the hotel.

"You'd better bring him two of your top sirloins," Jack said to the waitress, "and a baked potato and hot tea."

"The baked potato doesn't come on the menu until five," the waitress said.

"In Idaho?" the fighter said.

"Isn't that terrible?" Jack said, looking at me. "You see? They want you to eat the way *they* want."

After the fighter finished eating he took a walk with Marino, and Jack went down to a café he likes on Main Street and had a ham sandwich on whole-wheat bread, sliced bananas and a cup of tea. At 7:30 Jack was sitting in the hotel lobby when the fighter and Marino came down from their rooms with Marino carrying the fighter's black zipper bag.

"Listen," Jack said to the fighter, "when you finished eating across the street there, did you remember to tip the waitress?"

"Gee, no," the fighter said, "I forgot."

"Here," Jack said, handing him a buck. "Go over and do it now."

When the fighter came back we all got in a cab and went out to the Fairgrounds. In the dark the cabbie missed the main entrance, so we rode around between a lot of barns before we got to the arena with the sign SALES PAVILION over the door.

"You see?" Jack said when we got inside, the customers milling around us. "It's like the old Cambria in Philadelphia."

From where the ring was set up in the middle of the floor the solid planking of the stands goes back and up like steps on all four sides right to where the walls and the ceiling rafters meet.

"You gonna fill up?" Jack said to Al Berro.

"I don't know," Berro said. "I've got eleven hundred and fifty bucks in, and I've only collected at the Stagecoach, Hannifin's and a couple of others. I've got Homedale and Mountain Home coming in yet, so we'll do pretty good."

"There goes that 'pretty good' again," Jack said.

They had the fighter dressing under the stands in a small room with a washbasin and a toilet in it and a shower without any curtain around it. There was no rubbing table, only a green painted bench, and when the fighter stood up he had to be careful not to hit his head on the naked bulb sticking down from the ceiling.

It was hot in the room, so the fighter had stripped down and was in his black

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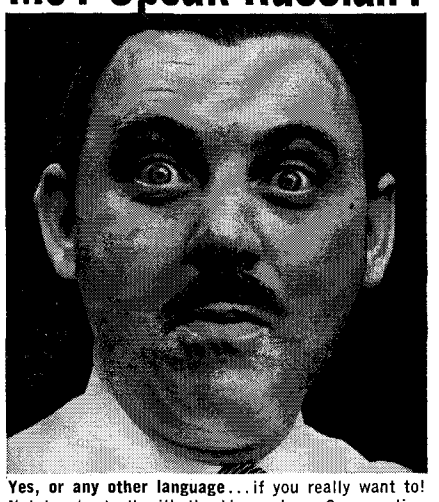

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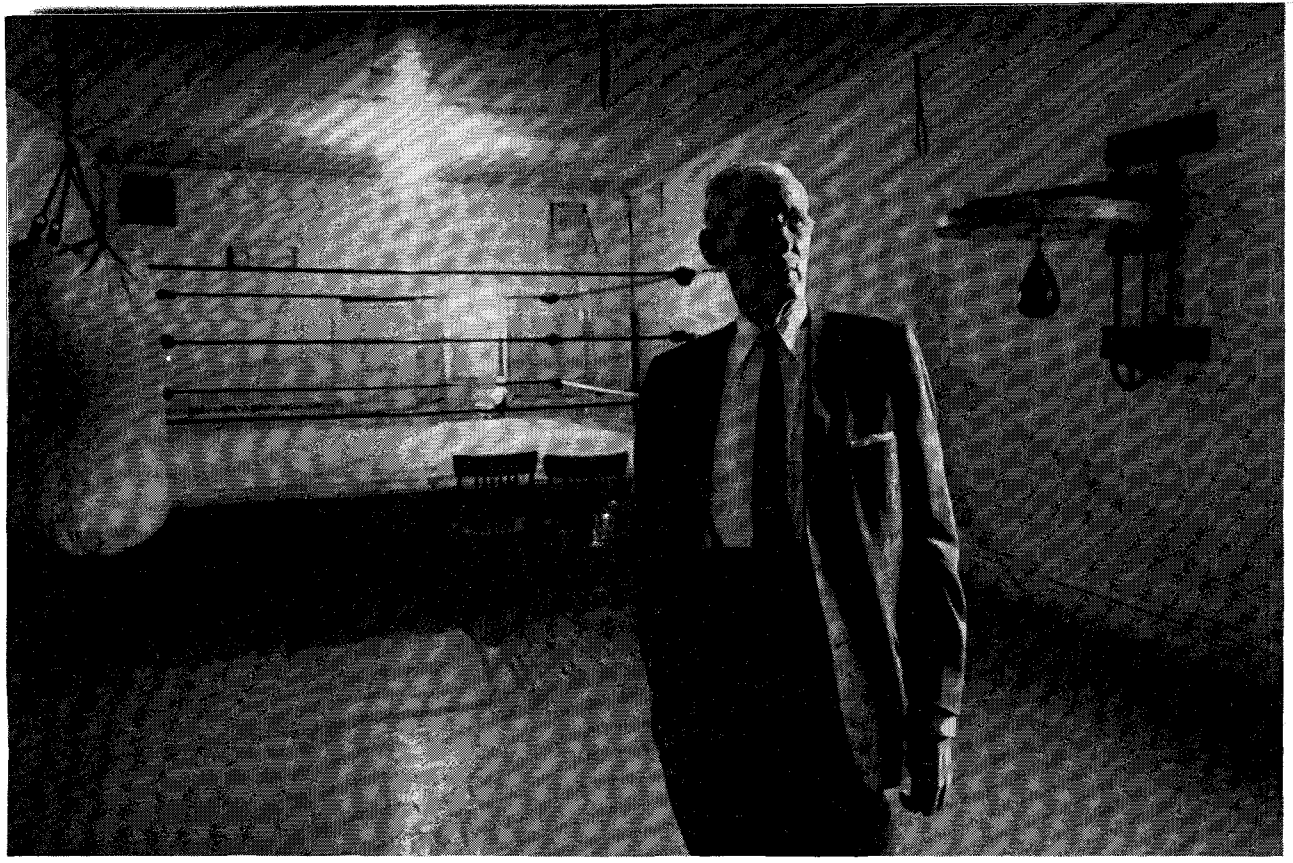

'Regardless of the outcome, this is my last fighter. I haven't got much time.'

JACK HURLEY

trunks with white stripes. He'd put on his white socks and was lacing his ring shoes. Through the wall you could hear the ring announcer bringing on the first preliminary.

"Marino," Jack said. "Tell them I'm gonna start bandaging and to send somebody over if they want to watch."

"But I just there," Marino said. "They don't come in yet."

"Then the hell with them," Jack said. "I'm gonna start anyway."

"Oh, excuse me," one of the customers said, looking in. "I thought this was the men's room."

"Next door," the fighter said.

"This will go on all night," Jack said. "They sell a lot of beer here."

With his bad eyes Jack had to squint to see what he was doing, but after bandaging fighters' hands for a half century he could do it with his eyes closed. While it was going on—the gauze around the wrist, and then across the palm, and between the thumb and index finger, and then back around the wrist and around the hand and across the knuckles, and then the tape—we could hear the crowd hollering and then, over our heads, the stamping of the feet.

"All right," Jack said to Marino when it was over. "Grease him up."

Marino rubbed the cocoa butter on the fighter's arms and shoulders and chest and neck and face. When he had finished, Jack sent him to watch the other people bandage and put the gloves on. The fighter was sitting on the bench, his bandaged hands in his lap, serious now.

"The hell with them," Jack said after a while. "We might as well get into the gloves. Then you'll have plenty of time to loosen up, because they take that intermission to sell more beer."

"Good," the fighter said.

Jack helped the fighter into the right glove first, the laces down the palm and then around the wrist, then tied, the ends cut and a strip of tape over it. When he had finished with the left glove, Marino was back.

"They all done now," he said.

"All right," Jack said to the fighter. "Loosen up, but be careful of that light. Now jab . . . hook . . . jab . . . move up behind it. All right, but don't stand there. You gotta move right up behind it. And another thing, if you start to miss punches just settle down and start all over again."

"I know," the fighter said.

"We're ready to go, Jack," Al Berro said, sticking his head through the doorway after the fighter had had about five minutes of it. "You ready?"

"Yeah," Jack said, and then to Marino: "You got the mouthpiece?"

They went out and down the aisle, Marino first, carrying the pail, and then the fighter and then Jack. The aisle was crowded, some of the customers still trying to get back to their seats with their containers of beer, and then the calls started from the stands.

"Hey, Jack! How many rounds?" . . . "Good luck, Jack!" . . . "Hey, Kirkman, how about our money's worth tonight?"

When the bell rang, Jack's fighter walked out in that Hurley style, hands low, and he walked right to that Archie Ray. Archie Ray is a straight-up fighter, with a pretty good jab and a straight right hand, and he started out to make a fight of it. He punched right with Jack's fighter, and I gave him that first round. Jack hadn't said a thing, but now he was up in that corner, bending over the fighter and lecturing him, and when he came down the steps at the start of the second round I could see he was still mad.

"Hey, Kirkman!" some loudmouth was hollering. "You're gonna get yours tonight!"

"His stance is too wide, and his feet are too flat," Jack said. "What's the matter with him?"

"He's tense," I said. "He'll fight out of it."

"Tense, hell," Jack said. "He's never been like this before."

He didn't fight out of it. In the second round you could see he was trying to settle down and put his moves together, but he was still too anxious. The young ones, if they're real fighters, are usually that way. They know what they're supposed to do, but then they get hit a good punch and they widen that stance and start swinging because they want to end it with one sock. Jack's fighter was still throwing punches from too far out, but he was hurting Ray with right hands. You had to give him that second round and the third, too, although he came out of a mix-up he should never have been in with his nose bleeding.

"Hey, Kirkman," the loudmouth was hollering when he saw the blood. "How do you like it now?"

"Isn't this terrible?" Jack was saying. "All he's got to do is jab and move up before he lets those right hands go. What's the matter with him?"

"He's still trying too hard," I said.

"Hell," Jack said.

In the fourth round he had Ray against the ropes and then through them, but he couldn't finish him, and in the fifth round he dropped him with a nice inside right hand to the body and still couldn't put him away. Ray looked as though he was in there just to stay now, and by the sixth round you could see Jack's fighter tiring, the way they all do until they learn pace. He'd be all right for the first half of a round, but then he'd flatten out and start to flounder. In the eighth round, though, he made one good Hurley move. He drew that right hand of Ray's, and, when it came, he turned from it and turned back with his own. It was a little high—on the cheekbone—but it caught Ray following through, and Ray's knees started to go as he backed off.

"He's got him now," I said to Jack.

"And everybody in the house knows it but him," Jack said over the roar, and by the time he said it, the chance was past. "Isn't that terrible?"

That was the last round, and it had been enough of a war so that the crowd liked it. Jack's fighter got the unanimous decision, but when we got to the dressing room he was still disgusted, and Jack was too.

"I swear I can fight better than that," the fighter was saying to two of the local sportswriters. "That's the worst fight I've ever had."

"He was in a trance," Jack said. "He couldn't even follow orders, and he always follows orders to the letter."

"I didn't even feel like I was in a fight," the fighter said. "I can't understand that."

"The hell with it," Jack said finally. "Let's get out of here."

An hour later we were still sitting in the restaurant across the street from the hotel. The fighter had had a milk shake, and Jack was nibbling at a ham and cheese on whole wheat and still going over the fight.

"He comes back at the end of the first round," he said, "and he says, 'I'm not sick, but something's the matter with me.'"

"That's right," the fighter said.

"So I said, 'It's too bad, but you're here. You're having a bad night, but you'll fight out of it. You're punchin' from too far back. Jab and move up and then wing those right hands.'

"So you got him against the ropes," Jack said to the fighter now, "and he's lookin' for the punch, ready to duck it, and you give it to him, instead of the jab. Let him duck the jab and into the right."

"I know," the fighter said, shaking his head.

"Now you know what it takes to be a fighter," Jack said. "You've got to settle down and live it and sleep it and eat it."

"But I do," the fighter said.

"But you've got to do it more," Jack said. "You can't afford bad nights like this."

"I know," the fighter said.

The fighter left then to pick up a couple of the display cards with his picture on them. Jack and I walked out on the street.

"That's the worst I've seen him," Jack said. "He knows how to do those things. Why couldn't he do them? How could he possibly be that bad?"

"Don't get sore," I said. "When you figure it out, he's had six rounds of professional boxing before tonight. You know it takes time."

"But I haven't got too much time," Jack said.

We shook hands, and I watched him start down the almost empty main street of Boise, Idaho, at one o'clock in the morning. He was heading for the Bouquet Sportsmen's Center to find out how much money there'd been in the house. □

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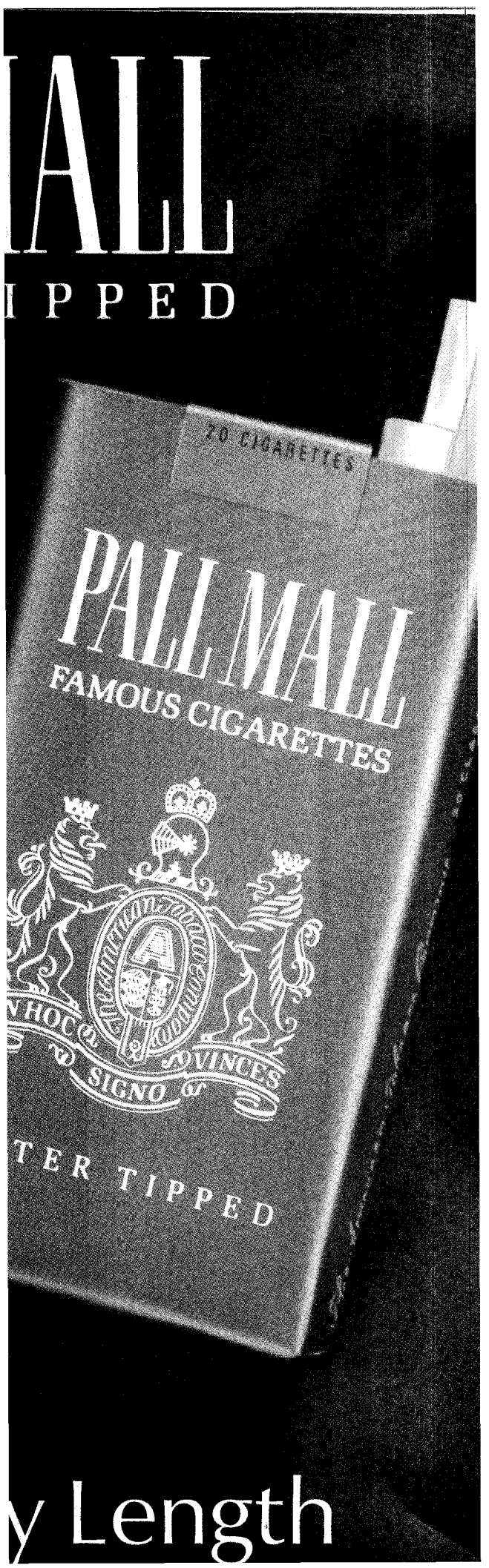

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After all these years, Willard's tormented, thieving, hard-drinking son-in-law was coming home. Should he welcome him? Turn him away? 'Oh, I am not God!' he cried. 'I did not make the world! I cannot predict the future!'

A NEW MAN

By PHILIP ROTH

One afternoon in November of 1954, a week before Thanksgiving and just at dusk, Willard Carroll drove out to the cemetery on Clark's Hill, parked down by the fence, and climbed the path until he reached the family plot. The wind was growing colder and stronger by the minute, so that by the time he had reached the top of the hill, the bare trees whose limbs had only been clicking together when he left the car were giving off a deep groaning sound. The sky swirling overhead had a strange light to it, though near the horizon it already appeared to be night. Of the town of Liberty Center he was able to discern little more than the black line of the river that bordered it and the head lamps of the cars as they moved along Water Street toward the Winnisaw bridge.

As though the cemetery had been his real destination all along, Willard sank down onto the cold bench that faced the plot, raised the collar of his red hunting jacket, pulled on the flaps of his cap, and there, before the grave of his granddaughter Lucy and the rectangles reserved for the rest of them, he waited. It began to snow.

Waiting for what? The stupidity of his behavior dawned quickly. The bus he had left the house to meet would be pulling up back of Van Harn's store in a few minutes; from it Whitey was going to disembark, suitcase in hand, whether his father-in-law sat here in a freezing cemetery or not. Everything was in readiness for the homecoming, which Willard had himself helped to bring about. So what now? Back out? Change his mind? Let Whitey find himself another sponsor—or sucker? Oh, that's it exactly. Let it get dark, let it get cold, and just sit it out in the falling snow. . . . And the bus will pull in, and the fellow will get off and head into the waiting room, all brimming over with how he has taken someone in once again—only to find that this time no sucker named Willard is waiting in the waiting room.

But at home Willard's wife, Berta, was preparing a dinner for four. Passing through the kitchen on his way to the garage, Willard had kissed her on the cheek and said, "It's going to be all right, Mrs. Carroll," but he might have been talking to himself for all the response he received. As a matter of fact, that's who he *was* talking to. He had backed the car down the driveway and looked up to the second floor, where his daughter Myra was rushing around her room so as to be bathed and dressed when her father and her husband came through the door. But saddest of all, most confusing of all, a little light was on in Lucy's old room. Only the week before, Myra had pushed the bed from one end of the room to the other and taken down the curtains that had hung there all those years and then gone out and bought a new bedspread, so that at least it no longer looked like the room in which Lucy had slept, or tried to sleep, the last night of her life. Of course, on the subject of how and where Whitey was to spend his nights, what could Willard do but be silent? Secretly, Willard was relieved that Whitey was to be "on trial." If only it could have been in a bed other than that one . . .

Over in Winnisaw, Willard's old friend and lodge brother, Bud Doremus, was expecting Whitey to show up for work at his hardware-supply house first thing Monday morning. The arrangements with Bud dated back to the summer, when Willard had agreed to accept his son-in-law once again into his house, if only for a while. "Only for a while" was the guarantee he had made to Berta; because she was right, this just could not be a repetition of what had happened in 1934, with someone in need coming for a short stay and managing somehow to stretch it out to fifteen years of living off the fat of his father-in-law's land. "And how do you know," Berta asked, "that it won't be fifteen years again this time?" "Berta, I don't imagine for one thing that I have got fifteen years left to me." "Well," said she, "neither do I, which might be another reason not even to begin." "You mean just let them go off on their own? Before I even know whether the man really is changed over or not? And what if he has reformed, once and for all?" "Oh, sure," said Berta. "Sneering at the idea may be your answer, Berta, but it does not happen to be mine." "You mean it does not happen to be Myra's." "I am open to opinion from all sides," he said. "Well, then, maybe you ought to be open to mine," Berta said, "before we start this tragedy again." "Berta, till January the first I am giving him a place to get his bearings in." "January the first," she said, "but which year? The year two thousand?"

Not to be rich, not to be famous, not to be mighty, not even to be happy, but to be civilized—that was the dream of Willard's life. What the qualities of such a life were he could not have articulated when, in the summer of 1903, at the age of eighteen, he had decided to leave his father's house, or shack, in the northern woods of the state; his plan was to travel all the way down to Chicago to find out. He knew for sure what he didn't want, and that was to live like a savage. His own father was a fierce and ignorant man—a trapper, then a lumberman, and at the end of his life a watchman at the mines that rimmed the town of Iron City. It was to Iron City that the logs were brought to be milled and the ore to be dumped into boxcars, the clanging, buzzing, swarming, dusty frontier town to which Willard himself, as a boy, each school day walked—or in winter, when he went off in a raw morning darkness, ran—through woods alive with bear and wolf.

As it happened, Willard had to travel only a hundred and fifty miles downriver from Iron City in search of the civilized world. Liberty Center was a town of small white houses shaded by big elms and maples, with a bandstand in the middle of Broadway, its main street; if ever there appeared to be a place where life could be less bleak and harsh and cruel than the life he had known as a boy, if

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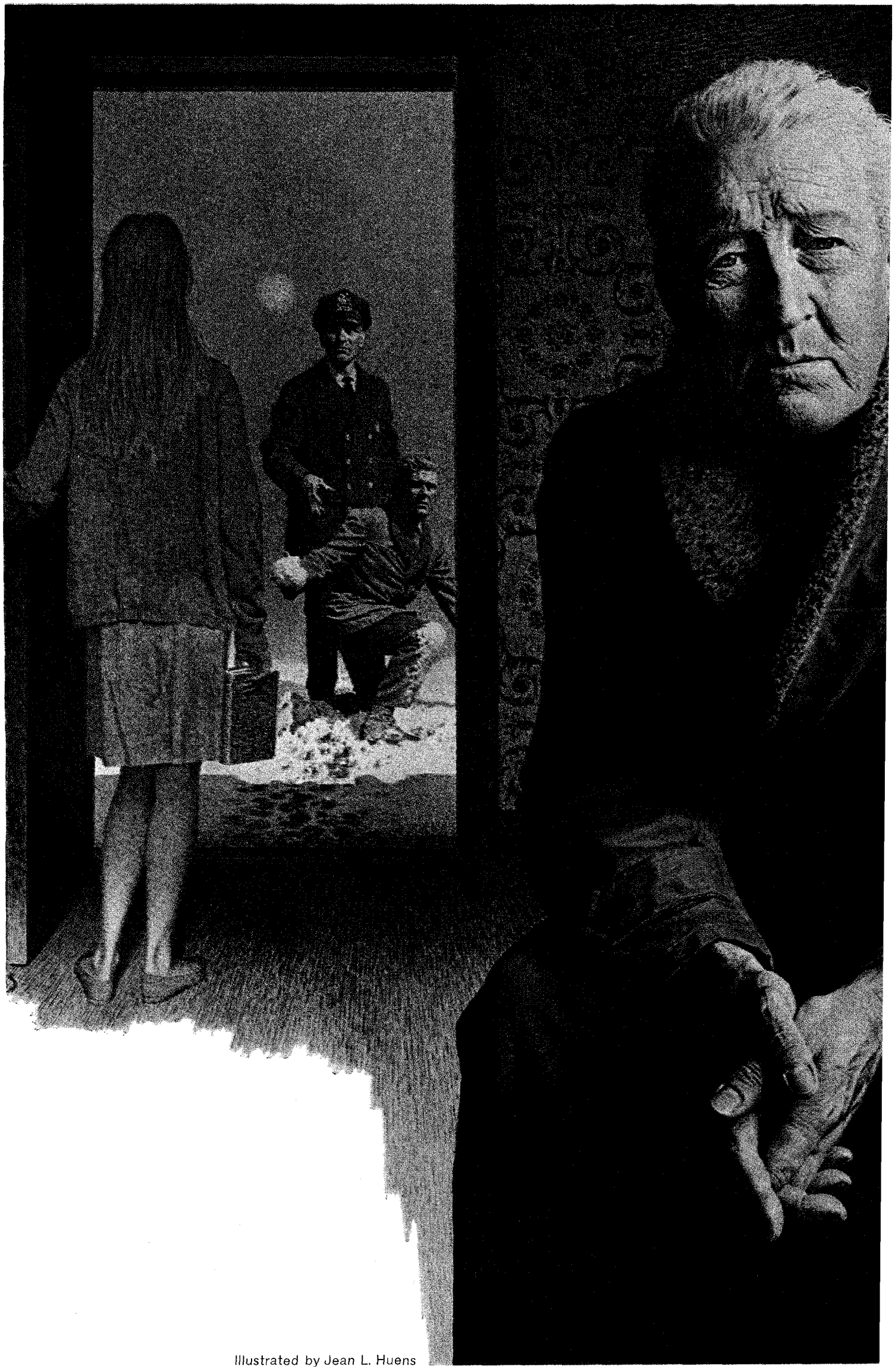

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America, America

"Hold it! I ain't planted yet!"

ever there looked to be a place where a man did not have to be reminded at every turn that something in the world either did not like mankind or did not even know of its existence, surely it was Liberty Center. At the very sight of the town—its quiet beauty, its serene order, its gentle summery calm—all that had been held in check in him, all that tenderness of heart that had been the young man's secret burden, even at times his shame, came streaming forth. He was free at last, or so he thought, of that terrible tyranny of cruel men and cruel nature.

He found a room; then he found a job—he took an examination and scored high enough to become a postal clerk; then he found a wife, a strong-minded and respectable girl from a proper family; and then one day—the fulfillment, he discovered, of a very deep desire—he bought a house of his own with a front porch and a backyard; downstairs a parlor, a dining room, a kitchen, and a bedroom; upstairs two more bedrooms and the bath. A back bathroom was built downstairs six years after the birth of Myra, his only child, and following his promotion to assistant postmaster of the town. In 1930, Mrya married Whitey Nelson, who they had no reason to believe was anything but a first-rate young fellow, courteous, healthy, clever with his hands, and practically a genius with anything mechanical. A daughter, Lucy, was born to Myra in 1932, and then just as life seemed as sweet and fruitful as any man could hope, the Depression really hit. Willard opened the door of his house and, to tide them over until better times, took in to live with him the struggling young couple and their child. Only they never left—not as a family, at any rate.

Seated alone up in the cemetery, the tree limbs rising in the wind, and the dark of the town seemingly being drawn up into the sky as the first snow descended, Willard was remembering the days of the Depression, and those nights too, when sometimes he awoke in the pitch black and did not know whether to tremble or be glad that someone in need of him was asleep in every bed of the house. . . .

He brushed the snow off the shoulder of his jacket and stamped away a tingling that was beginning in his right foot. He looked at his watch. Well, maybe the bus will be late, he thought. And if it's not, he can wait. It won't kill him.

Now he was remembering again; of all things, the Independence Day Fair held in Iron City that Fourth of July almost sixty years back when he had won eight of the twelve track events and so set a record that stands today. Willard knows the record stands, because he always manages to get hold of an Iron City paper every fifth of July just so as to take a look and see. He can remember running home through the woods when that glorious day was over, rushing up the dirt road and into the cabin, and dropping onto the table all the medals he had been awarded; he remembers how his father hefted each one in his hand, then led him back outside to where some of the neighbors were gathered and told Willard's mother to give them an "on your mark." In the race that followed, some two hundred yards, the father outdistanced the son by a good twenty feet. *But I've been running all day.* Willard had thought. *I ran the whole way home!*

"Who's the fastest?" one of the bystanders had asked, teasing the boy as he started back to the cabin.

Inside, his father had said, "Next time don't forget."

"I won't," said the child, chastened.

Well, there was the story. And the moral? What exactly were his memories trying to tell him?

The moral, if there was one, came later, years later. He was sitting in the parlor one evening, across from his young son-in-law, who had stretched himself out with the paper and was about to munch an apple and so let the comfortable evening begin, when suddenly Willard couldn't bear the sight of him. Four years of free room and board! Four years of floundering and getting on his feet again! And there he was, on his back, in Willard's parlor, eating Willard's food! Suddenly Willard wanted to pull the apple out of Whitey's hand and tell him to pick up and get out. The holiday is over! Scat! Go!

Instead, he decided that it was a good night to give his mementos a look-through.

In the kitchen pantry he found a piece of soft cloth and Berta's silver polish. Then from beneath the wool shirts in his bureau he removed the cigar box which was filled with keepsakes and, settling on to the bed, opened the box. The medals were gone.

When he came back into the living room, he saw that Whitey had fallen off to sleep. The snow drifts were floating up to cover the windows; across the street the houses looked as if they were going down into the rising white waves. It can't be, thought Willard. It just can't. I am jumping to a rash conclusion.

During his lunch hour the next day, he decided to take a walk down to the river and back, stopping on the way at Rankin's pawnshop. Ha-ha-ing all the while, as though the whole affair had been a family prank, he recovered the medals.

After dinner that night he invited Whitey to come with him for a walk downtown. What he said to the young fellow, once they were out of sight of the house, was that it was absolutely and positively beyond his understanding how one man could take the belongings of another man, go into a person's private belongings and just *take* something, particularly something of sentimental value; nevertheless, if he could receive from Whitey certain assurances about the future, he would be willing to chalk up this unfortunate incident to a combination of hard times and immature judgment. And pretty damned immature judgment too! But then, no one deserved to be discarded from the human race on the basis of one stupid act—a stupid act you might expect of a ten-year-old, by the way, and not a fellow who was twenty-eight, going to be twenty-nine. However, the medals were back where they belonged, and if he were given an ironclad promise that nothing like this would ever happen again, and, furthermore, if Whitey promised to cut out immediately this new business of whiskey drinking, then Willard would consider the matter closed. Here was Whitey, a fellow who'd been third baseman on the Selkirk High baseball team for three years running, a young man with the build of a prizefighter, good-looking too—Willard said all this right out—and what was his intention, to wreck the healthy body the good Lord had blessed him with? Respect for his body alone ought to make him stop, but if that didn't work, then there was respect for his family and for his own human soul too, damn it. It was up to Whitey entirely: all he had to do was turn over a new leaf. Otherwise, something drastic was going to have to be done.

So overcome was the young man with shame and gratitude that all he could do at first was take hold of Willard's hand and pump it up and down, while tears glistened in his eyes. Then he set out to explain. It had happened in the fall, when the circus had come to the armory down in Fort Kean. Right off, Lucy, his daughter, had started talking a mile a minute about the elephants and the clowns, but when Whitey looked in his pocket, he found only pennies and not too many of them either. So he thought if he borrowed the medals and then returned them a few weeks later . . . But here Willard remembered just who it was that had taken Lucy to the circus, and Myra and Whitey and Berta too. None other than himself. When he pointed out this fact, Whitey said yes, yes, he was coming to that; he was saving the most shameful for the last. "I suppose I am just a coward, Willard, but it's hard to say the worst first." "Say it anyway, boy. Make a clean breast of the whole thing."

Well, confessed Whitey as they turned off Broadway and started back home, after having borrowed the medals he was so appalled and shocked with himself that instead of using the money as he had intended, he had gone straight over to Earl's Dugout and made himself numb on whiskey, hoping thereby to obliterate the memory of the stupid, vicious thing he had just done. It had been the last week of September, just after old man Tucker had had to lay off half the shop, including Whitey. . . . No, no—removing a calendar from his wallet, studying it under the front-porch light as they both stood stamping the snow off their boots—as a matter of fact, it was the first week of October, he told Willard, who earlier in the day had had the date fixed for him by the pawnshop clerk as only two weeks back.

But by this time they were already inside the door. Knitting by the fire was Berta; sitting on the couch, holding Lucy in her lap, was Myra, reading to the child before sending her off to sleep. No sooner did Lucy see her daddy than she slid from her mother's lap and came running to him.

In the face of this scene, what on earth could Willard possibly do? If after the long deliberation of that afternoon he had decided to consider Whitey's theft forgivable, was he now going to bother to catch his son-in-law in a petty lie? Only why, if Whitey felt so depraved after taking the medals, why in hell didn't he put them back? Now,

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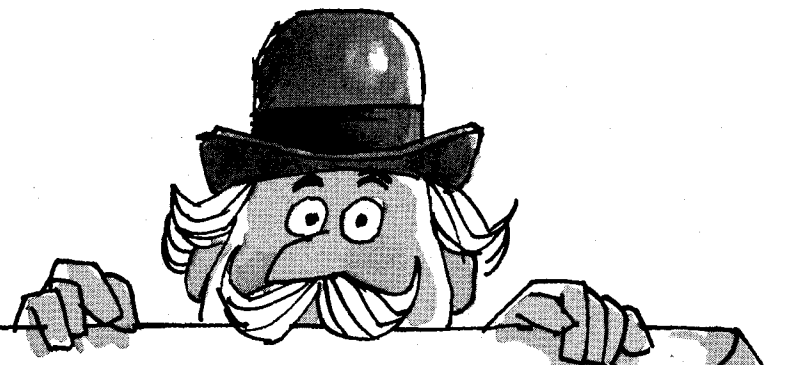

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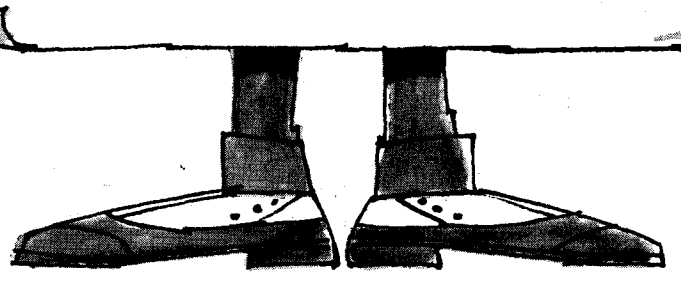

why hadn't he thought to ask him that? Hey, you, why didn't you put my medals back, if you felt so awful about it? But by this time, Whitey was carrying Lucy up the stairs on his shoulders, and he himself was smiling at Myra, saying yes, the men had had a good bracing walk.

Earl's Dugout of Buddies. Oh, if only they had knocked that place down years ago! At Willard's request, they had agreed to stop letting Whitey drink himself into a stupor at the Elks' and at Stanley's Tavern too (now under new management—the thought occurred to him as the streetlights went on down in town) but for every human or even semihuman bartender, another named Earl was actually *amused* to take the paycheck of a husband and father and cash it for him. The ironic part was that in that whole so-called Dugout of Buddies there was probably never a man who was one-tenth the worker or the husband or the father that Whitey was—that is, when things weren't overwhelming him. Unfortunately, however, circumstances seemed always to conspire against him at just those times, rarely more than a month at a stretch, when he was suffering through a bad siege of what you finally had to call by its rightful name: lack of character. Probably on that particular Friday night that none of them would ever forget, Whitey would at worst have weaved up the walk, thrown open the door, made some insane declaration, and dropped into bed with his clothes on, that and no more, if circumstances or fate or whatever you wanted to call it hadn't arranged for his first vision upon entering the house to be of his wife Myra soaking her feet in a pan of water. Then he must have seen Lucy bent over the dining table and understood that she was doing her homework downstairs so that her mother wouldn't have to face the dragon alone when he returned.

Willard and Berta had gone off to play their Friday rummy. Driving to the Erwins' that night, he agreed that this time they were staying clear through to coffee and cake, like normal people, no matter what. If he wanted to go home early, said Berta, that was his business. She herself worked hard all week and had few pleasures, and she simply would not cut short her night out because her son-in-law had come to prefer drinking whiskey in a musty bar at the end of the day to eating a home-cooked dinner with his family.

But Myra soaking her feet. Something told Willard he shouldn't go off leaving her that way. Not that she was suffering so from the pain. It was just the *picture* that he didn't like somehow. "You should sit down more often, Myra. I don't see why you have to stand so much." "I do sit, Daddy. Of course I sit." "Then how come you're having this feet trouble?" "It's not trouble. They'll be fine." "It's from giving them lessons all afternoon long, Myra, standing over that piano." "Daddy, no one stands over a piano." "Then where did this feet business come from?" "Oh, Daddy, please. It didn't 'come' from anywhere. It's just a little, tiny thing, and it doesn't have any terrible cause. It's just weak arches." She kissed him. "Good night." What more could he do? He called into the dining room. "Good night, Lucy." When she failed to respond, he walked over to where she sat writing in her notebook and touched her hair. "What's got your tongue, young lady? No good night?" "Good night," she mumbled, without bothering to look up.

Well, it was just as he had expected: When Whitey got home, he didn't like the scene either. The first suggestion he had for Myra was that she might at least pull the shades down so that everybody who walked by didn't have to see what a suffering martyr she was. When, in her panic, she didn't move, he pulled at one to show her how, and it came clear off the fixture. She had only taken on all those piano students—seven years earlier, he neglected to add—so as to turn herself into a hag, to cause him, if she could manage it, to start running around with other women, so that she could have that to cry over as well as her poor, crippled toesies. Why she taught piano was the same damn reason she wouldn't go with him to Florida and let him start a brand-new life down there. Out of disrespect for what he was!

There was apparently nothing that a man should not say to a woman—even to one he hates, and the fact was that Whitey loved her, adored her, worshiped her—that he didn't say to Myra. Then, as if a torn shade and a broken fixture and all those garbled insults weren't enough for one night, he picked up the dishpan of warm water and Epsom salts and, for no rational reason in the world, poured it out on the rug.

What happened subsequently Willard learned from a sympathetic lodge brother who was on duty in the squad car that night. Apparently the police tried as best they could to make it look friendly and not like an out-and-out arrest; they drove up without the siren blowing, parked out of the glow of the streetlamp, and stood patiently in the hallway while Whitey worked at buttoning up his jacket. Then they led him down the front steps and along the path to the patrol car. They were not so much holding him down as up, and trying to joke him along some too, when Whitey, using all his physical strength, broke from between them. In the first moment, no one could figure out what he was doing. His body folded once in half, so that for a moment he seemed to be eating the snow; then with a jerk he straightened up and, swaying as if in a wind, heaved an armful of snow toward the house.

The powder fell on Lucy's hair and her face and the shoulders of her sweater; but, for all that she was only fifteen and, with her pug nose and freckles and straight blond hair, looked no more than ten, she did not so much as flinch; she stood as she was, one loafer on the bottom step and one on the walk, and a finger in her schoolbook—all ready, it seemed, to return to the studies that she had interrupted only to dial the station house. "Stone!" Whitey shouted. "Pure God-damn stone!" And here he made his lunge. Willard's lodge brother, frozen till then by the scene, leaped to his duty. "Whitey, it's your own kid!" Whereupon the drunk, either remembering that he was father to the girl or hoping to forget that connection for good, evaded the policeman's grasp and went ahead and did all it was he had apparently intended to do in the first place: He pitched himself facedown into the snow.

The following morning, before going

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down to the jail to get Whitey out, Willard sat Lucy down and gave her a talking-to.

"Honey, I know you have been through a lot in the last twenty-four hours. I know you have been through a lot in your whole life that would have been better for you never to have seen. But, Lucy, I have got to ask you something. I have got to make something very clear. Now, I want to ask why, when you saw what was happening here last night—Lucy, look at me—why didn't you phone me out at the Erwins'?"

She shook her head.

"You knew we were out there, didn't you? And the number is right there in the book. Isn't that so, Lucy?"

"I didn't think of it."

"But what you did think of, young lady—*look at me!*"

"I wanted him to *stop!*"

"But calling the jail, Lucy ——"

"I called for somebody to make him stop!"

"But why didn't you call *me?* I want you to answer that question."

"Well," she said, getting up and backing away, "you can't . . ."

"Now sit down and listen to me. First thing—that's it, sit!—whether you know it or not, I am not God. I am just me, that's the first thing."

"You don't have to be God."

"No backtalk, you hear me? You are just a schoolchild, and maybe—just maybe, you know—you don't know the whole story of life yet. You may think you do, but I happen to think different, and who I am is your grandfather whose house this is."

"I didn't ask to live here."

"But you do, you see. So quiet! You are never to call the jail again. They are not needed here. Is that clear?"

She did not answer.

"We are civilized people in this house, and there are some things we do not do, and that is number one. We are able to settle our own arguments and conduct our own affairs, and we don't require the police to do it for us. I happen to be the assistant postmaster of this town, young lady, in case you've forgotten. I happen to be a member in good standing of this community, and so do you."

"And what about my father? Is he in good standing too, whatever *that* means!"

"I am not talking about him right this minute. I will get to him, all right, and without your help. Right now I am talking about you. The way we do it in this house, Lucy, is we talk to a person. We show him the right ——"

"And if he doesn't know it?"

"Lucy, we do not send him to jail! That's the point. Is it clear?"

"No!"

"What I am saying to you is that a lot of things, a great many things, you do not know the slightest thing about."

"I know it's your house. I know you give him a home, no matter what he does to her, or says to her . . ."

"I give my daughter a home, that's what I do. I give you a home. I am in a situation, Lucy, and I do what I can for the people I happen to love around here."

"Well," she said, beginning to cry, "you're not the only one who can love people around here, maybe, you know."

"Oh, I know that, I know that sweetheart. But, honey, they're your parents."

"Then why don't they act like parents!" she cried, rushing out of the room.

And Myra. His Myra.

"Myra, I am sitting here debating what to do. And I am really of two minds, I'll tell you that. What has happened here, I never thought I would ever live to see. I have spoken to Lucy. I have gotten her to promise that nothing like this is ever going to happen again."

"She promised?"

"More or less. I would say yes."

Myra closed her eyes, so deep, so deep in purple rings from all her secret weeping.

"Myra, it has been a long, twelve-year haul. For everybody living here it has been a long struggle."

"Daddy, we're going to move, so it's over. The struggle is over."

"*What?*"

"We're going to Florida."

"Florida!"

"Where he can start fresh . . ."

"Myra, there ain't a morning of his life he can't start fresh, and right here."

"But here, Daddy, it's someone else's roof over his head."

"And how come? What's the answer, Myra? How is it he's going to get the stick-to-itiveness in Florida that he's not able to get up here, I'd like to know."

"He has relatives in Florida. . . ."

"You mean now he's going to live off someone else, for a change?"

"Not live *off* them."

"And suppose last night had happened in Florida. Or Oklahoma. Or wherever."

"But it wouldn't! He could be on his own. That's all he wants."

"Honey, it's what I want too. It's what we all want. But where is the evidence, Myra, that on his own, with a daughter, with a wife, with all the thousand responsibilities ——"

"But he's a good man." Here she began to sob. "I wake up in the night. Oh, Daddy, I wake up. 'Myra,' he says to me, 'you are the best thing I have. Don't hate me.'"

In the middle of Lucy's first semester at college, she came home at Thanksgiving to say she was getting married to a boy named Roy Bassart. She had to get married because she was pregnant. Whitey sat himself down on the edge of the sofa in the parlor and just caved in. "But I wanted her to be a college graduate," he said, and lowered his head into his hands, and the sounds that emerged from his mouth might have softened in you everything that had finally hardened against him, if you didn't wonder whether that was why he was making the sounds in the first place. For the first hour he wept steadily like a woman; then gaspingly like a child for another hour, until even though he wanted you to forgive him, you almost had to anyway, watching him perform that way within plain view of his own family.

Then the miracle happened. At first he looked to be sick, or maybe even about to do something to himself. It was frightening to see. For days on end he hardly ate, though he was there at every dinner hour. In the evening he would sit out on the front porch, refusing to speak, or to come in out of the cold. Once, in the middle of the night, Willard heard noises in the house and came into the kitchen in his robe to see Whitey looming over a cup of coffee. "What's the trouble, Whitey, can't sleep?" "Don't want to sleep." "What is it, Whitey? Why are you all dressed?" Here Whitey turned to the wall, so that all Willard could see, as his son-in-law's whole big body began to tremble, was the back of his broad shoulders and his wide, powerful neck. "What is it, Whitey, what is it you are thinking of doing? Now tell me."

The day after Lucy's wedding, Whitey came to breakfast wearing a tie with his work shirt and went off to the shop that way; at home in the evening he took out brushes, rags, and polish and gave his shoes a shine that looked professional. To Willard he said, "Want one while I'm at it?" And so Willard handed over his shoes and sat there in his stocking feet, while the incredible happened before his very eyes. When the weekend came, Whitey whitewashed the basement and chopped practically a whole cord of wood. Willard stood at the kitchen window watching him bring down the ax in violent, regular whacks.

So that month passed and the next, and though eventually he came out of his silent, morbid mood and took up a little more his old teasing and kidding ways, there could no longer be any doubt that at long last something had happened to penetrate his heart.

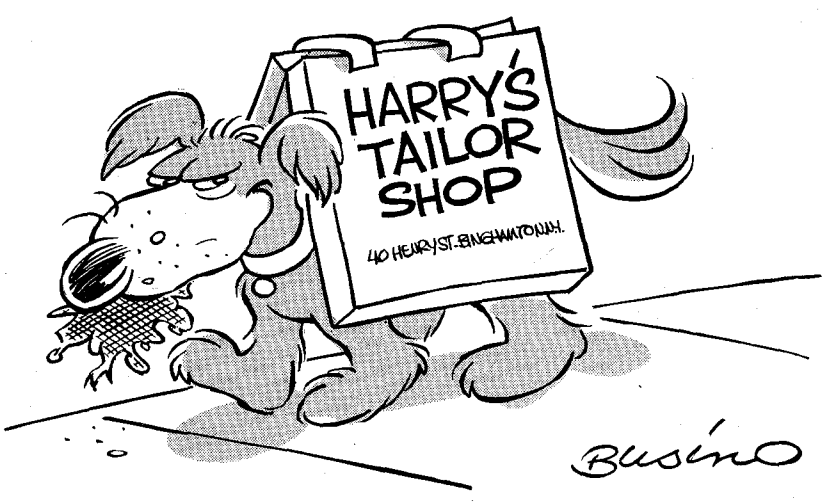
That winter he grew his mustache. In the first weeks he got the usual jokes from the boys at the shop, but he kept on with it, and by March it was difficult to remember how he used to look; it seemed that the big, strapping, healthy, misdirected boy had, at the age of forty, decided to become a man. More and more, Willard heard himself calling Whitey, as Berta and Myra always had, by his given name, Duane.

He actually began to behave now as Willard had had every reason to expect he would, given the eager young fellow he had been back when they'd first met. At that time he was already a first-rate electrician and a pretty good carpenter too, and he had plans, ambitions, dreams. One of these was to build a house for himself and Myra, if only she would be his bride: a Cape Cod-style house with a fenced-in yard, to be built with his own hands. And that wasn't so farfetched a dream either. At the age of twenty he seemed to have the strength and the vigor for it and the know-how too. He even went ahead and plunked down a one-hundred-dollar deposit on a tract of land at the north end of the town, a wise move too, for what was only woods then was now Liberty Grove, the fanciest section of town. He had begun to draw up his own building plans and was well into his first year of marriage, when along came national calamity—and the birth of his daughter.

As it turned out, Whitey took the Great Depression very personally. It was as though a little baby, ready to try its first step, stands up, smiles, puts out one foot, and then one of those huge iron balls such as they use to knock down whole buildings comes swinging out of nowhere and wallops him right between the eyes. In Whitey's case it took nearly ten years for him to get the nerve to stand up and even try walking again. On Monday, December 8, 1941, he took the bus to Fort Kean to enlist in the United States Coast Guard and was rejected for heart murmur. The following week he tried the Navy, and then his last choice, the Army, but to no avail. He wound up working in the fire extinguisher plant over in Winnisaw for the duration, and in the evenings was less and less at home and more and more at Earl's Dugout.

But now here he was on his feet again, informing Myra that when the school year was over she was to call the parents of her piano students and tell them she was going out of the music business. He did not require a cushion behind him to catch him if he fell. Because he wasn't falling any longer. That was the whole trouble to begin with: He had gotten himself all those props and cushions to give him a start back into the world, and all they had done was impede his progress by reminding him of the failure he had been from the start. "Drinking and losing jobs and getting jobs and drinking and losing them . . . It's a vicious cycle, Myra."

Maybe, he said, if he had gone into the Army he would have come out of that experience with some of his confidence back. Instead he had to walk around town all those years, while other men risked their lives, and while people in town wondered how a big bruiser



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like him had gotten out of the fighting and dying, and pointed a finger at him for living off his father-in-law. But this wasn't wartime anymore. It wasn't the Depression, either. This was booming prosperity, and this time, he said, he was not going to be left behind, not when every Tom, Dick and Harry you could think of was making the money that was out there for the asking. So, first thing, Myra was to inform those parents that she was out of the music business as of the end of the school year. And the next thing was to think about moving out of her father's house. No, not to Florida. Willard was probably right about that being so much running away from the truth. What he had begun to think about—and he wasn't going to promise right off and be made a fool of a second time—but what he had begun to think about was building one of these pre-fab jobs like the kind the fellow had put up out near Clark's Hill. . . .

Spring. Each evening Duane would get up from the dinner table—slapping at his knees, as though just to rise to his feet was a strengthening experience in itself—and, pitting the new self against the old temptations, he would take a walk down Broadway to the river. At eight on the nose, he would be back shining his shoes. Night after night Willard watched him as though hypnotized, as though his son-in-law was not just another man cleaning his shoes at the end of a hard day, but inventing before Willard's eyes the very idea of the shoebrush and polish. Willard actually began to think that instead of encouraging the fellow to move out of the house he ought now to encourage him to stay. It was becoming a genuine pleasure to have him around.

One night in May, the two men got to talking together before bedtime; the subject was the future. When dawn came, neither could remember who had first suggested that maybe it was time for Duane to go back to the original plan of his life, to be out contracting on his own. With new housing developments going up everywhere, a fellow with his electrical know-how would be swamped with work within a matter of weeks.

Early the following morning, shaved and in suits, they drove to the bank to inquire about a loan. At seven that evening, after a nap and a good dinner, Duane went off for his constitutional. Meanwhile Willard sat down with a pencil and pad and began to figure up the available money, what the bank said they would loan, plus certain savings of his own. By eleven, he was filling the paper with circles and X's; at midnight he got into the car to make once again the old rounds.

He found Whitey in the alleyway back of Chick's Barbershop, along with a strange Negro and a white-wall automobile tire. Whitey had his arms wrapped around the tire; the colored fellow was out cold on the cement. He did all he could to pry Whitey loose from his tire, short of kicking him in the ribs, but it appeared that he was having some kind of romance with it. "Now damn it," Willard said, dragging his son-in-law toward the car, "let go of that thing!"

But Whitey staged a sitdown strike on the curb rather than submit to being parted from his tire. He said he and Cloyd here had run great risks in procuring it, and besides—couldn't Willard see?—it was brand new. He carried fifty pounds more than Willard, and over twenty years less, and so, drunk as he was, it was still nearly half an hour before Whitey could be detached from what he and his new friend had "borrowed" from God only knew where.

The next morning, for all that he was the color of oatmeal, Whitey came down to breakfast right on time. Wearing a tie. Nevertheless, two weeks passed before mention was made again of bank loans or personal loans or the electrical contracting business, and then it was not Willard who brought the matter up. On a Saturday afternoon, the two were sitting alone in the parlor listening to the White Sox game, when Whitey stood and, glaring at his father-in-law, made his indictment: "So that's the way it is, Willard. One lapse, and a man's whole new life, right down the drain!"

Then, in June, while they were all getting ready for bed one night, Myra made a remark to Whitey that did not set very well with him, as it was on the subject of his new life and hers. Adolph Mertz, who had picked up his daughter after her piano lesson that afternoon, had asked if Whitey was still interested in going into electrical contracting; a fellow up in Driscoll Falls was retiring, selling everything he owned at a good price. Here Whitey swung at Myra with his trousers and nearly took her eye out with the buckle of his belt. But he hadn't meant to—he was only warning her not to tease him again about something that wasn't his fault! Why did she go shooting her mouth off about other people's plans? At this stage of the game it was nobody's concern but his, and Willard's too, no matter how much her father now wanted to sneak out of the whole thing. As a matter of fact, if it was up to Whitey, he would go back to that bank any day of the week. It was Willard who had withdrawn his support and knocked the confidence out of him about the whole idea, after having encouraged him to begin with. Actually, living in Willard's house had undermined his confidence all along, right from the beginning. A grown man being treated like a charity case! Sure, blame it on him, blame it all on him! But who was it who had cried for her daddy, years back, just because it was a depression and he was out of work, like half the country was, damn it! Who was it that wouldn't leave for the South with her husband so as to start a new life? Who? Sure, always *him!* Only *him.* Nobody but *him!*

As for hitting her—this he said when he came back from the kitchen with an icepack for her eye—had he ever struck directly at her with the intention of doing her harm? "Never!" he cried, getting back into his clothes. "Never *once!*"

Willard rushed into the hallway as the outraged Whitey started for a second time down the stairs. "Now all of you can stand around day and night," said Whitey, buttoning his coat, "and talk and laugh and tell stories about what kind of failure I am, because I'm going!" There were tears rolling down his face, and he was clearly so miserable and broken-hearted that for a moment Willard became totally confused, or enlightened. At any rate, he saw the truth more clearly than he ever had before in all these fifteen years: *There is nothing the man can do. He is afflicted with—himself!*

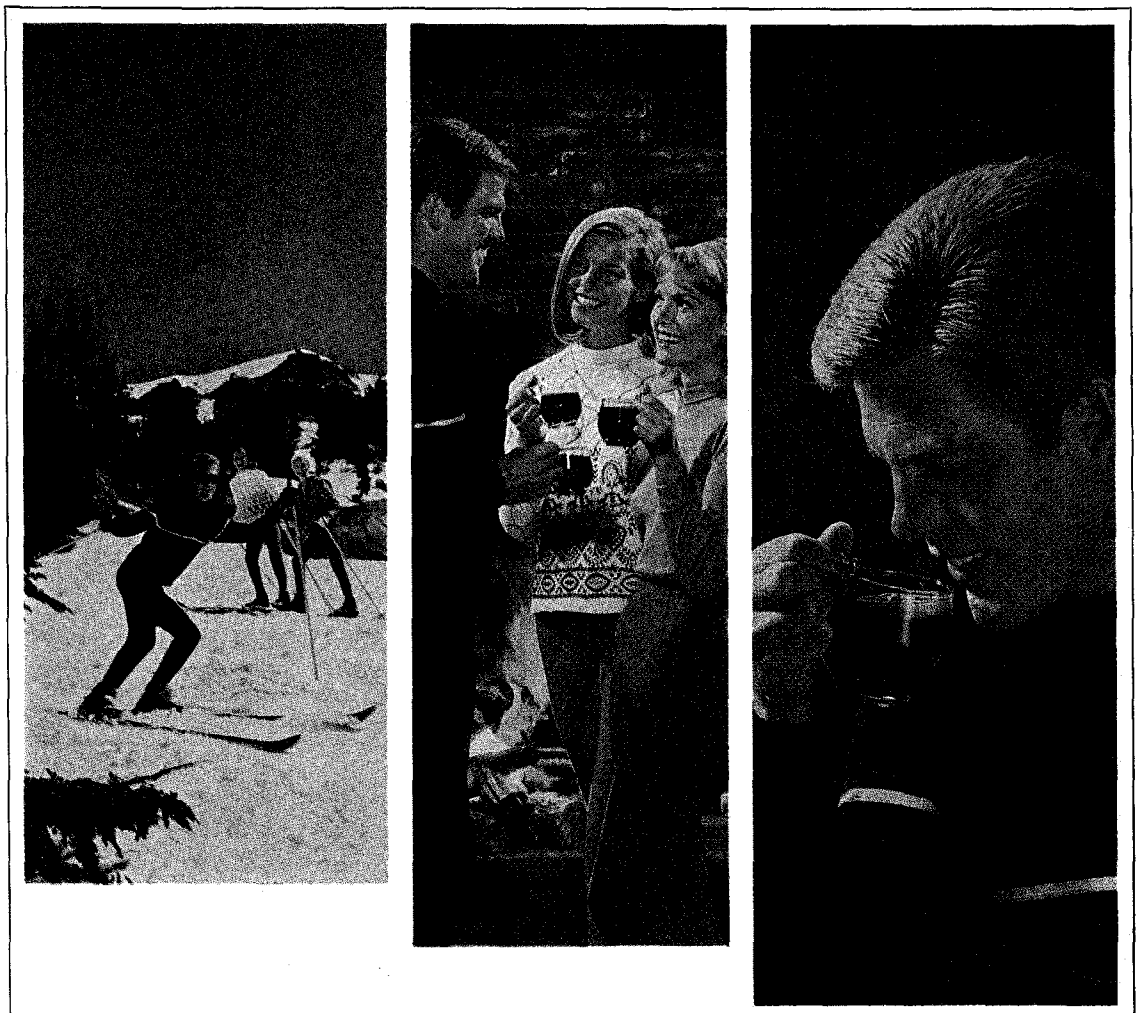
Willard nonetheless let the afflicted fellow proceed out the door and, for good measure, bolted it and shouted after Whitey. "I don't care what you are! Nobody strikes my daughter! Not in this house they don't! Or outside either!"

Whitey began ringing the bell around two in the morning. Willard appeared in the hallway in his robe and slippers and found Myra at the top of the stairs in her nightdress. "I think it's raining," she said.

Willard did not move.

"Daddy, what help is it to anything," she asked, "for someone to stand out in the rain?"

"I ain't his father, Myra—I am



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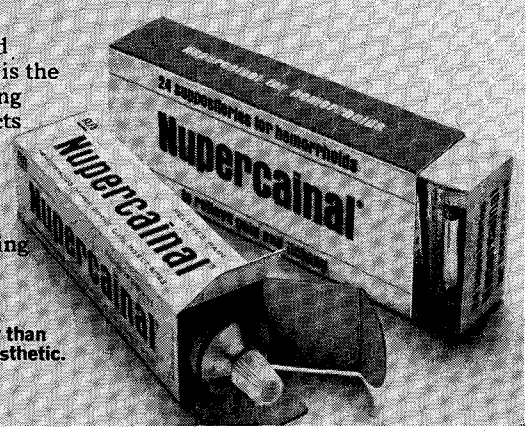

Dolce Far Niente

If you are a school administrator, you may have run into the above expression before, especially if Italian or a general language course is taught in your school.

"Sweet idleness!" We translate. We not only translate; we wish there were a lot more of it for each of us. For you and me especially!

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yours! Let him feel a little rain on him. I just can't worry no more about what help things are doing him or not!"

"I shouldn't have mentioned Mr. Mertz's idea to him. I knew it."

"Myra, will you please stop taking the blame? Because it is not your doing. It's his!"

Berta came into the hall. "If you think it's your fault, then go out and stand in the rain too, young lady."

"Berta . . ." said Willard hopelessly.

"That is the solution, Mr. Carroll, whether you like it or not!"

She left her husband and her daughter alone in the hallway. Whitey began to kick against the door.

"Well, that sure takes brains, Myra, doesn't it? To kick a door, that really takes brains, all right."

The two of them stood in the hallway while Whitey continued kicking the door and ringing the bell.

"Fifteen years," said Willard. "Fifteen years of solid this. And listen to him, making an idiot of himself still!"

After five more minutes, Whitey stopped.

"Okay," said Willard. "That's more like it. I am not giving in to that kind of behavior, Myra, not now, and not ever either. Now that he's quiet I am going to open the door. And we're going to sit down in the parlor right now, and I don't care if it takes till morning, we are going to get to the bottom of this."

He opened the door, but Whitey was no longer there.

That was a Wednesday night. On Sunday Lucy came to visit. She wore a dark-brown maternity dress of some thick material from which her face emerged like a smooth little light bulb. Everything about her looked small, as indeed everything was, except for the belly.

"Well," said Willard cheerfully, "what's on Lucy's mind?"

"Roy's mother told Roy all about it," she replied, standing in the middle of the parlor.

Willard spoke again. "What, honey?"

"Daddy Will, don't think you're sparing me. You're not."

No one knew what to say. Finally Myra asked, "How is Roy's schooling going now?"

"Oh, Mother, look at your eye."

"Lucy," said Willard, taking her by the arm, "maybe your mother doesn't want to talk about it." He sat her down beside him on the sofa. "Now tell us about you. You're the one with the brand-new life. How's Roy? Is he coming over?"

"Daddy Will," she said, standing up again, "he blackened her *eye*."

"Lucy, none of us feel any better about it than you do. I'm plenty angry. And he knows it. Word's gotten around to him, all right. He has stayed away three whole days already. Four including now. From all I understand, he is carrying his tail between his legs and is one very ashamed person, as well he should be."

"But what will be the upshot of all this, Daddy Will? What now?"

Well, the truth was he had not exactly made up his mind yet.

Of course, Berta had made up hers and had told him so every night when they got into bed. With the lights out he would turn one way, then another, till his wife, whom he had thought asleep beside him, said, "It does not require squirming, Willard, it does not require thrashing around. He goes, and if she wants to she goes with him." "And just suppose they had gone when he first talked about it? Then what? You tell me." "I don't know, Willard, what would have happened to them, or what will happen now. But we two will live a normal human life for the last years we are on this earth." "There are others to consider, Berta." "I wonder when it will be my chance to be one of those others. When I am in the grave, I suppose, if I last that long." "I am talking about our daughter, Berta!" "She is thirty-eight years old, Willard. I believe her husband is forty, or is supposed to be. They are their own lookout, not mine, and not yours." "And just suppose," he said after a minute, "suppose everybody thought like that. That would sure be some fine world to live in, all right. Everybody saying the other person is not their lookout, even their very own child." She did not answer. "Suppose Abraham Lincoln thought that way, Berta." No answer. "Or Jesus Christ, for instance." "You are not Abraham Lincoln. You are the assistant postmaster in Liberty Center. As for Jesus Christ——" "I didn't say I was comparing myself. I am only making a point to you." "I married Willard Carroll, as I remember it, I did not marry Jesus Christ." "Oh, *I* know that, Berta. . . ." "Let me tell you, if I had known beforehand that I was agreeing to be Mrs. Jesus Christ . . ."

So now, to Lucy's question as to what the upshot would be—"The upshot?" Willard repeated.

To gather his thoughts, he looked away from Lucy's demanding eyes and out the window. And guess who just then came strolling up the front walk? With his hair wet and combed and his shoes shined, wearing his big man's mustache!

"Well," said Berta, "Mr. Upshot himself."

The doorbell rang. Once.

Willard turned to Myra. "Did you tell him to come?"

"No. I promise I didn't!"

Whitey rang once again.

"It's Sunday," explained Myra, when no one moved to open the door.

"And?" asked Willard.

"Maybe he has something to tell us. Something to say. It's Sunday. He's all alone."

'Mother, once, just once, *protect yourself!*" cried Lucy.

"All I know . . ." Berta said. "Are you listening to me, Willard? All I know is that it sounds to me as if he is planning to put his fist through that fifteen-dollar glass."

But Willard was saying, "Now first off, I want everyone here to calm down. The fellow has been away three whole days, something that has never happened before——"

"Oh, but I'll bet he's found a warm corner somewhere, Daddy Will—with a bar stool in it!"

"I know he hasn't!" said Myra.

"Where was he, then, Mother, the Salvation Army?"

"Now, Lucy, now wait a minute," Willard said. "This is nothing to shout about. As far as we know, he has not missed a day of work. As for his nights, he has been sleeping at the Bill Bryants', on their sofa."

"Oh, you people!" Lucy cried, and she was out of the room, into the front

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hallway. The rapping at the glass stopped. For a moment there was not a sound, but then the bolt snapped shut, and Lucy shouted, "Never! Do you understand me? Never!"

Lucy came back into the room.

"What did you do?" asked Myra.

"Mother, the man is beyond hope! Beyond everything!"

"A-men," said Berta.

"You don't even know what I'm saying!" said Lucy, turning on her grandmother.

"Oh, no," cried Myra, rushing past them into the hallway. "Duane! Duane!"

But he was already running down the street. By the time Myra had unlocked the door and was onto the porch, he had turned a corner and was out of sight. Gone.

Until now, with five years gone and Lucy gone two years herself—poor Lucy, whose brief nightmare of a life had ended so incredibly, so horribly: In flight from her family, she had frozen to death beneath the snow in the woods where she had chosen to hide out; she had died, Willard believed, altogether deranged by her hatred of them all. . . . And Whitey, her father, must be waiting down in that station twenty minutes already while Willard sat up here in the cemetery. Unless Whitey had become impatient, and decided to go back where he came from; unless he had decided that maybe this time he ought to disappear for good.

A pain shot down Willard's right leg, from the hip to the toe. Cancer! Bone cancer! Yesterday, too, he had felt it, searing down his calf and into his foot. Cancer of his bones! But the pain settled in now, like something bubbling over a low flame. It was only his sciatica.

But what did he expect, sitting outside like this? The shoulders of his jacket were covered with snow; so were the toes of his boots. It was a cold, black night, and he was thinking, Yes sir, he would have to pay attention to that sciatica, no more treating it like a joke. The smart thing was probably to take to a wheelchair for a month or so, so as to get the pressure off the sciatic nerve itself. That was Dr. Eglund's advice two years ago, and maybe it wasn't such a silly idea as it had seemed. A nice long rest. Throw an afghan over his knees, settle down into a sunny corner with the paper and the radio and his pipe, and whatever happened in the house, let it just roll right by him. Surely that is a right you have at seventy years of age. In the months to come, he could pretend every once in a while that his faculties were slipping some. Yes, sir, just have to make their way without him. Welcome to use his house for a while, that was fine with him, but beyond that—well, he wasn't all there in the head, you know. But why! Why should I be senile when that is not the case! He jumped to his feet. Why be getting pneumonia and worrying myself sick, when all I did was good! The fear of death, horrible, hateful death caused him to bring his lids tight down over his eyes. "Good!" he cried out loud. "Unto others!"—and down the hill he went, shedding snow from his jacket and his cap, while his old, aching legs carried him as fast as they could out of the graveyard to where he had left the car.

Not until he was past the cemetery road and under the streetlamps of South Water Street did Willard's heartbeat begin to resume something resembling a natural rhythm. Just because winter was beginning again did not mean that he was never going to see the spring. He was not only going to live till then, he was alive *right now*. Problems or not, we are all alive! What had he been doing in a cemetery? At this hour, in this weather? Come on, he told himself, enough gloomy, morbid, unnecessary, last-minute thinking. There was plenty more to think about, and not all of it bad either. Just think how Whitey will laugh when he hears how in the middle of the night, as though in judgment of itself, the building that housed Earl's Dugout caved right in, roof first, and had to be demolished. And so what if Stanley's is under new management? Whitey had as much disdain of a low-down saloon as anybody, when he was being himself—and that was a good deal more often than it might appear to someone purposely setting out to remember only the low points in a man's life. Wait till he sees the new shopping center, wait till he takes his first walk down Broadway. Sure, they could do that together, and Willard could point out how the Elks' had been remodeled.

"Hell, the fellow is nearly fifty." He was speaking aloud now, as he drove on into town. "There is a job waiting for him over in Winnisaw. That has all been arranged, and with his wanting it, with his *asking* for it. As for his moving in, that is absolutely temporary. Believe me, I am too old for that other stuff. What we are planning is January the first . . . Oh, look, I am not God! I did not make the world! I cannot predict the future either! Damn it anyway, he is Myra's husband—that she loves, whether we like it or not!"

Instead of parking at the back of Van Harn's store, he pulled up in front, so as to take the long way to the waiting room, so as to have just another thirty seconds of reflection. He entered the store, slamming his wet cap against his knee. And most likely, he thought, most likely he won't be there anyway. Without going into the waiting room, he set himself to peer inside. Most likely I have sat up there for no good reason at all. In the end he probably did not even have it in him to come back.

Only there was Whitey sitting on a bench, looking down at his shoes. His hair was now quite gray; so was the moustache. He crossed and recrossed his legs, so that Willard saw the undersides of the shoes, pale and smooth. A little suitcase, also new. sat beside him on the floor.

So, said Willard to himself, he did it. He got on a bus and he came. After all that has happened, after all the misery he has caused, he has had the nerve to get on a bus and then get off it and to wait here for a half an hour, expecting to be picked up. . . . Oh, you idiot!

Still unseen, he glared at his middle-aged son-in-law, at his new shoes and his new suitcase. Oh, sure, new man too! Oh, you dumb cluck! You scheming, lying, thieving ignoramus. You weak, washed-out lushhead, sucking the life's blood from every human heart! You no-good, low-life weakling! So what if you can't help it! So what if you don't mean it!

"Duane," said Willard, stepping forward. "How you doing, Duane?" □

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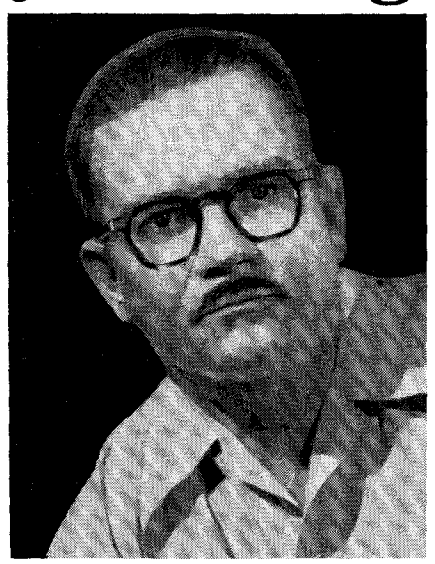

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A KIND OF SAVAGE

Obey the rules—that was all they asked of her. But Courtney was a girl with revolution in her blood.

By JAMES BAKER HALL

Illustration by Mark English

For the second time in three weeks the housemother from Brewster Hall, Elizabeth Dickinson, class of '29, was sitting in the Dean's office yacking on and on about this girl from Lexington, Kentucky, who was going to wreck the entire dorm if something wasn't done. Knowing Elizabeth (dear old Elizabeth), the Dean halved everything she said and discounted the tone completely—which left little that could be construed as a dean's business. Courtney Pettit this, Courtney Pettit that! For lack of any other way to entertain herself, Dean Bradford leaned forward in her chair in a private parody of interest and attention.

Elizabeth Dickinson was a frail, nervous woman who whipped lickety-split along the campus walks with her head buried on her chest; every few yards her face would pop up, smiling, only to disappear again abruptly. For a while the Dean had thought that the housemother had a tic rather than any real interest in the world, but Elizabeth Dickinson knew as much about what was going on at Talcott College, from the lowest freshman right up through the President, as anyone around. The Dean often thought now that if you could draw her hair back while she was trotting

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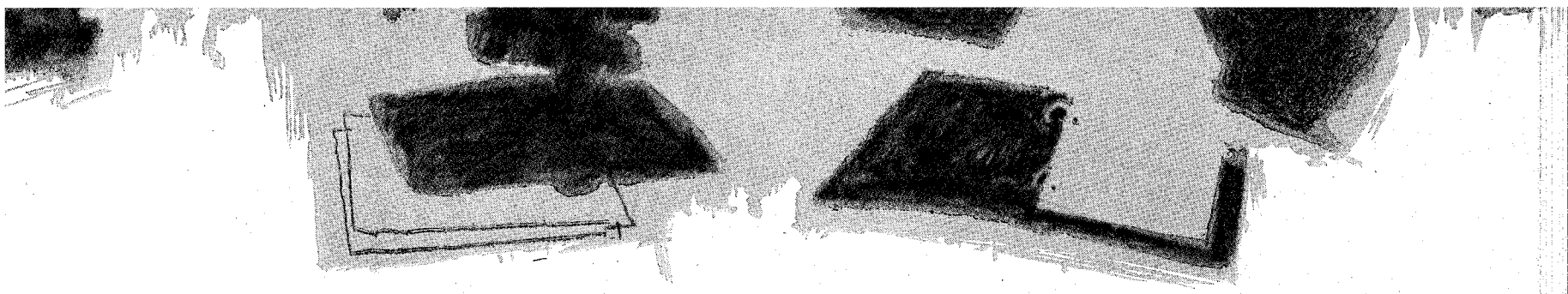

along with her head down, you would find her ears standing at alert like a dog's. It wasn't simply Elizabeth Dickinson, class of '29, that brought out that sort of meanness in the Dean; it was Elizabeth Dickinson as one of many. They were like the Chinese Communists, these old alumnae still attached to the college; what they lacked in equipment they made up for in dedication and tactics and sheer number—they just kept coming in human waves. A whole squad of them operated out of the very place where the Dean lived and ate, and one or two evenings of every week she fled straight from her office into New Haven; it was either that or end up being insulting. Or, worse still, dead.

"If you and the girls can't handle something like this, what can you handle, Elizabeth?" the Dean said. "I don't know this Pettit girl nearly as well as you do, of course, but she impressed me as a very quiet and accommodating little girl."

"That's the way she impressed me! That's the way she impresses everybody!"

What the housemother didn't understand, what very few of the little old ladies around Talcott College understood, was that the refinements and distinctions that meant so much to them were largely lost on the girls, who saw you as either for them or against them; either you were on the side of life, of freedom and adventure, or you were some version of death itself. If they ever got the idea that you were an old maid, you'd *had it* as an influence in their lives. Not too many years ago Dean Bradford would have tried to get Elizabeth Dickinson to see that, but now she knew better than to try. Considering the sort of women that Talcott was trying to cultivate, and the personnel they had to do it with (on paper, half the faculty was male, but it was hard to tell sometimes which half), the Dean was inclined to marvel at what success the college had.

Before the appointment was over, the Dean was feeling sorry for Elizabeth and a little guilty about being unable to take her problems more seriously. By way of making amends, she invited herself over for a drink late that afternoon. She thought it was clear that this would be a purely social call, but the housemother misconstrued the whole thing; when the Dean arrived, expecting to flop down in a chair with a drink, there in the living room were three of

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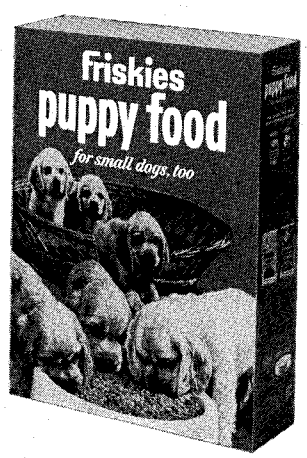

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Elizabeth's girls—Courtney's ex-roommate, the dorm president, and the chairman of the dorm discipline committee—and the Dean found herself listening to the same garbage she'd heard that morning. Courtney Pettit this, Courtney Pettit that, all over again. Somebody was always having to get up and let her in after the doors were locked; she stayed up all night and slept all day and never seemed to study; penalizing her with extra duties simply meant risking further humiliation because it was hard enough getting her to do her own share in the first place. It all struck the Dean as enough to make you fall in love with Courtney Pettit, sight unseen.

The girls left, and as she was having her drink with Elizabeth, she said, "What's this I hear about you hanging out your laundry on Miss Finch's lawn?"

The housemother, taking her ritual walk about the campus on a recent Sunday morning, had discovered two undergarments—one male, one female—tied to the branch of a tree on the President's lawn.

"*What?*" Elizabeth exclaimed. "Where in the *world* did you hear *that?*"

"From Miss Finch herself. She said she happened to look out of the window, and there you were hanging things out to dry on her trees."

"I was taking them *down!* Lord have mercy, I—Oh, you had me *scared* to *death!*" The housemother, blushing, shook her head in bewilderment at the Dean's imagination. "No wonder the girls love you."

"I thought they were scared of me."

"Oh, underneath it all they love you. Dearly! You're really so young at heart. They *identify* with you."

"Let me catch one doing that! I haven't got a heart, Elizabeth, just a gizzard."

On the way home she grew conscience-stricken for having abused the poor timid woman all over again. Unlike some of the little old ladies on the faculty, Elizabeth Dickinson had no say in the college, so she was relatively harmless; what's more, compared with most of the old maids that the Dean was obliged to deal with day in and day out, Elizabeth was open and lively. That was cutting it pretty thin, aligning Elizabeth Dickinson with the life force, but as the girls would tell you, you had to get your kicks where you found them, and in a woman's college you could end up sometimes cutting things pretty thin.

The Dean had nothing against the college or her job that being able to get away from it every night wouldn't have relieved—or so she was fond of telling herself. When she'd first come there, after the war (she and Miss Finch had been in the Marines together, a fact that still set everybody—students, faculty, alumnae—off in seventeen different directions at once), she'd promised herself, even told Miss Finch, that if she wasn't allowed to live in New Haven after a time, she would find herself another job. That was a good many years ago, and she'd never mentioned it again. For one thing, she found the way of life on campus much less sterile and parochial than she'd imagined. It was, in fact, very lively in a quiet way—the lake, the arboretum, the library, the talk—and she'd found it possible to live a deeply civilized life. Still, she would probably have moved to New Haven long ago but for the fact that more and more of the young faculty, especially the men, were trying to do that. The administration had not been forced to draw the line yet, but Miss Finch had gone out of her way on numerous occasions to let it be known that she didn't intend trying to run a residential college with a commuting faculty. If the Dean hadn't been a dean, she would have gone ahead anyhow, knowing that quite a few others were getting by with it, but being in the administration carried a special burden in the matter, as in so many others.

A lot of people were saying that Courtney Pettit would never fit in, that she was the most egregious mistake Talcott College had made in years, but when the Dean finally did agree to call Courtney in, it was more from curiosity than concern.

She was all prepared, when Courtney came in, for another of those full-dress debates in which the college was accused of being an oppressive reactionary matriarchy, but Courtney showed no interest in representing the forces of life and freedom. She was the first to point out that Talcott College was Talcott College, that she had known more or less what she was getting into when she came, and that she could always leave if she didn't like it. It was like interviewing a Girl Scout with bad grades, not a chick who was feared to have revolution in her blood.

"Gosh, Miss Bradford," Courtney said. "I try, I really do."

"What's so immensely difficult about obeying a few simple rules?"

"It's terrible, I know."

"You haven't been to English in three weeks. How long do you think you can keep your grades up without attending classes?"

"Probably not even one more day. I've been lucky on all those English papers."

"Why didn't you wait on tables the other morning when you were supposed to? Now don't give me that stuff about how ashamed you are. I want the reasons—one, two, three."

"I was in bed."

"My dear child, we were *all* in bed until we got *up*. Did it ever occur to you that if you came back to the dorm on time and went to bed at some decent hour, you wouldn't be so sleepy?"

"Yes ma'am, I know it. I've tried to go to bed early, but I always end up just lying there wide awake for hours and hours. I reckon it's my metabolism."

"Your metabolism, huh?"

"Oh, don't make fun of me, Miss Bradford. It's the truth, it really is!"

"You're driving Miss Dickinson to distraction, I trust you realize that."

"Yes ma'am."

There was a long silence.

"Well? Is that a matter of indifference to you?"

"No ma'am. I'm sorry about Miss Dickinson. I realize she has a hard time."

The Dean looked up sharply. "What do you mean by that?"

"Nothing," Courtney said. "Heavensakes, I don't have anything against Miss Dickinson or any of the girls, I really don't."

"Either you're going to learn how to get along in the dorm, or you're going to end up before the Student Council. Do you understand what that means? It's up to you."

"Yes ma'am, I know it," Courtney said. "I'm going to get a good night's sleep tonight and start working off all those penalties tomorrow."

She waited on tables three times a day all that week, and when Elizabeth Dickinson called, wanting to know what in the world the Dean had done, the Dean was tempted to suggest that Courtney Pettit, far from being disrespectful of authority, understood and appreciated it quite well, because she responded only to the real thing; but instead, a little ashamed of the frequency with which she used housemothers and virgin girls to take an attractive measure of herself, she told Elizabeth simply that she'd done her bit and the whole thing was now back in the laps of the powers at Brewster Hall, where it should have stayed all along.

At the dorm, though, few believed that Courtney Pettit really wanted to reform, and the first time she didn't show up for breakfast duty, they were laying for her. The word spread over the dining room like news of an international crisis, leaving silence in its wake. The girls turned their chairs away from the tables; the waitresses, wearing their aprons like placards, lined up against the wall in protest; everybody trained attention on the door, waiting for the delinquent Courtney. A few girls got their own breakfasts, boycotting the protest, but the rest just sat indignantly, refusing to take a bite until Courtney Pettit reported for duty. They waited five minutes. Ten. Fifteen. They couldn't sit around waiting all morning—most of them had an eight o'clock class—so they hastily assembled an *ad hoc* committee to roust Courtney out of bed. The five girls boarded the elevator and waited in grim silence, like a bunch of Marines in a landing barge, until someone pushed the button. When the committee got back, somebody pointed out that it was no good getting Courtney up because they had no way to keep her from going back to bed again. Somebody else suggested that getting Courtney Pettit to fulfill her responsibilities was considerably more trouble than it was worth, and that the reasonable thing was for them to go on about their business as though she didn't exist. Somebody else pointed out that, yes, that was true, and it was probably exactly what Courtney was counting on; she was putting them on no matter which way they turned. A senior jumped up to say that she had taken as much guff off a freshman as she intended to take, that she personally had served that little bitch her meals a half dozen times and would be *damned* if she would let her get out of New England without paying her debts; there was nothing personal about it, it was a matter of social justice. With that the whole dining room exploded into factions, and the upshot was that most of the girls had to go without breakfast in order to make their classes.

It was midwinter before the Student Council got anywhere near as worked up as the girls from Brewster Hall. The first time they called Courtney in they contented themselves with reviewing the trouble she'd caused and issuing rather severe warnings about what would happen if she persisted in think-

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ing she was a law unto herself. Courtney was contrite, and left quite obviously chastened. Some of the Council members were seeing her for the first time, and they agreed afterward, despite the loud protests of the representative from Brewster, that anybody who could be upset by that little girl was looking for somebody to be upset by. "Just wait," the Brewster girl kept saying, "just wait and you'll see," and the more she said it the more fun they made of her.

For several weeks Courtney behaved herself, but then all of a sudden everything was right back where it had started, and this time the Council decided to confine her to the campus on weekends for a month. For the first time since Courtney had taken up residence in Brewster Hall the girls listened without complaint, at least on the weekends, to the jazz she played all night in her room. In fact, some of the more vindictive made a ritual of going to her door at date time on Friday and Saturday and Sunday nights and yoo-hooing good-bye to her. Everybody, Courtney very much included, seemed more or less satisfied that she'd gotten what she deserved, until she was seen in New Haven late the last of those Saturday nights—while back at the dorm the housemother and the Student Council representative, among others, were listening to all that jazz. A quick investigation revealed the possibility that Courtney had been taking her privileges all along, but it couldn't be proved, and so the Council, influenced again by Courtney's disavowals and pleas and resolutions, only repeated the original punishment. This time there was no jazz at all; in fact, in a touchingly conspicuous effort to overcome suspicion, Courtney kept out in the open in the library virtually every night until it closed. But then, with even the more skeptical admitting it was unlikely that she would try to pull anything now, she was seen in New Haven again, eating breakfast one Sunday morning with a bearded fellow, and the Student Council called a special meeting to lower the boom. Before long they had her confined to her room night and day, seven days a week, except for classes—at least on paper they had her confined to her room—and the entire college was up in arms. The editor of the paper put the student government on the spot by pointing out what everybody was becoming more and more aware of—the Council had no power that couldn't be ignored by each and every student. One group within the Council wanted to salvage what prestige it could by trying to cultivate Courtney's impulse to reform, another wanted to pursue the hard line with ultimatums that even they weren't sure they could enforce. Finally, in frustration, the Council made an unprecedented request that the administration take Courtney Pettit off their hands.

"What choice have we got?" the President asked the Dean. "The girls have done all they can do."

"What about allowing the Council to recommend probation or expulsion? It would give them at least the semblance of some real power."

There was a long silence at Miss Finch's end of the phone.

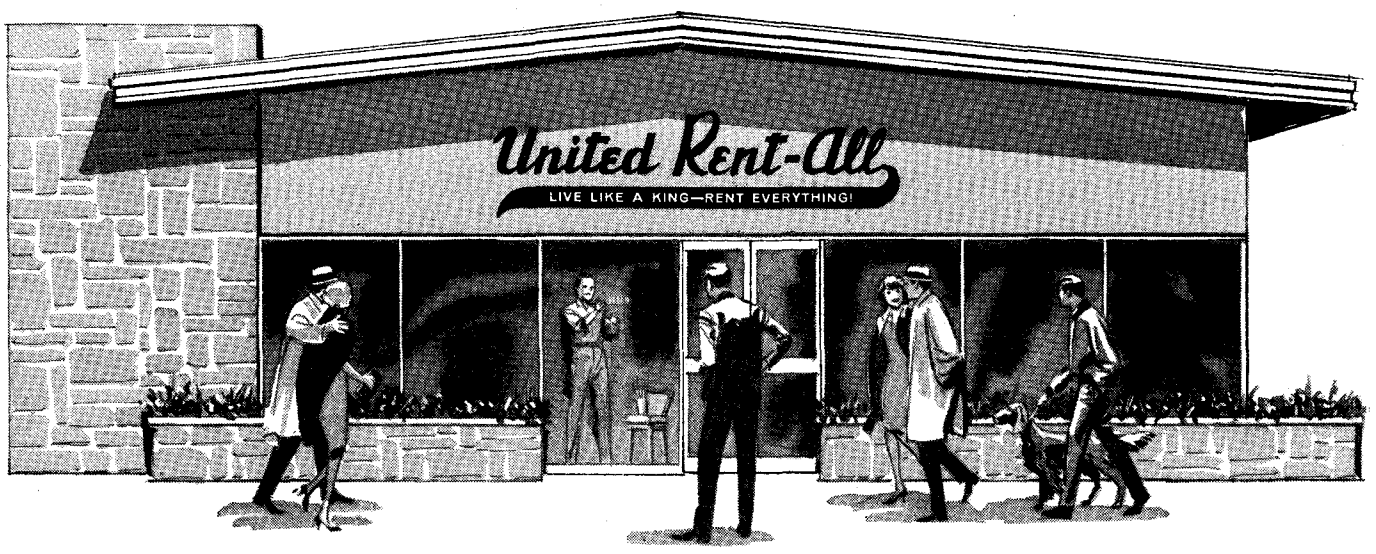
"Subject to the approval of the faculty adviser or something like that," the Dean added.

Finally Miss Finch said, "No, that could end up getting us all in a lot of trouble. I don't think we ought to encourage them to think they've got anything to say about that at all. What is it about this girl anyway? You're fond of her, aren't you?"

"She's tremendously entertaining," the Dean said. "*More* than that, actually: she doesn't for a minute expect or even want the college to underwrite her behavior. It's extraordinary. I haven't seen a girl like that in all my years here. She can give a more intelligent and eloquent defense of the way things are around here than some of those Westchester girls on the Council. Their trouble is, they think they'd be immensely better off if they could get rid of Courtney Pettit, when the truth of the matter is that they'd have to invent her if she didn't exist."

"Does she want to be expelled? Is she just leading everybody on?"

"If she were a little older I'd be inclined to think maybe she was one of the world's great straight-faced comedians, but I really doubt it now. You know how kids that age are: there are probably three or four mutually exclusive Courtney Pettits crashing around inside that girl, and whenever one gets on top for any length of time, there's bound to be a palace revolution. She's like the wolfman—about once a month the Talcott gentility and respectability has a full-moon effect on her; it turns her into a kind of savage. It's an adolescent response to the same damn



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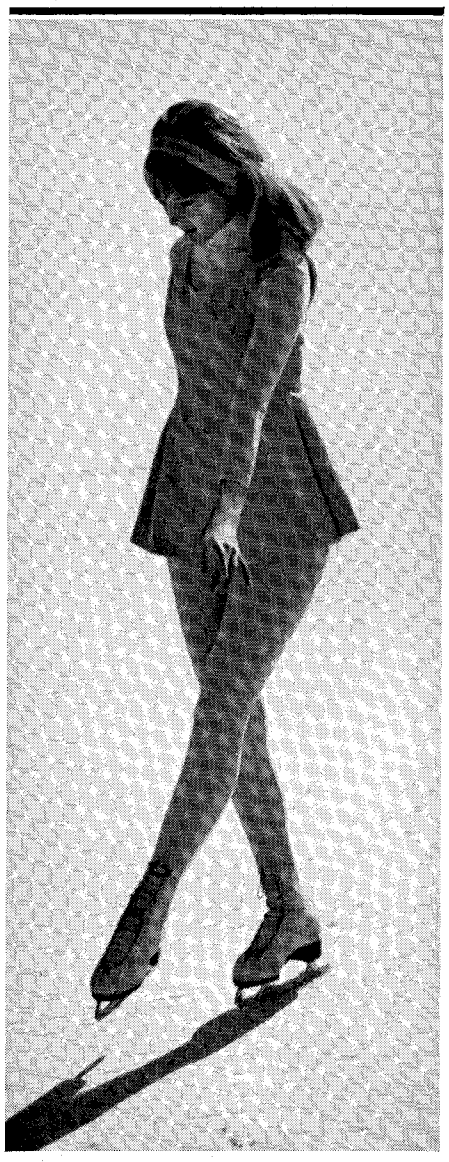

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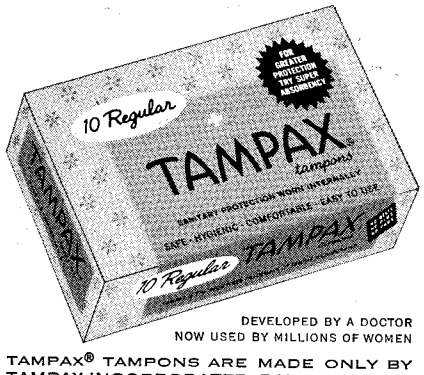

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conflict that produces people like . . ." The Dean named several of the more publicly tortured and convoluted personalities around the college.

"Look," Miss Finch said, "you go ahead and handle it in whatever way you see fit. Just keep me posted. If we're going to let somebody wreck the college for the sake of being entertained, I don't want to miss any of it."

"I'm not going to let her go too far, don't worry about that."

When she put the phone down, the Dean began dictating a note requesting Courtney to make an appearance tomorrow at eleven, but then she grew impatient with all that formality and told her secretary to get the girl on the phone. And when Courtney came in the next morning, the Dean laid it on the line: She was going to have one more chance to respect the authority of the Council; after that she'd find herself confronted with the administration. By way of dramatizing that she meant every word she said, the Dean announced that there would be another meeting of the Council, and that she personally would be there, in the role of an observer.

"Well, how about it?" she asked.

"Gee whiz," Courtney said. "If I have to meet with those mixed-up girls many more times I'll go out of my mind."

After Courtney left, the Dean thought of calling Miss Finch to share that remark with her, but chickened out at the last minute. She tried to think of somebody she *could* call; there were plenty of people around who would appreciate what Courtney had said, but none that she could phone for just that. Finally she buzzed for her secretary.

The typing stopped, and the secretary appeared in the doorway, her glasses in her hand. "Did you want me?" Just the sight of her, another stolid well-meaning old lady for whom the college was life, suddenly moved the Dean.

"Guess what I told Miss Finch when she told me to have another talk with that Pettit girl."

The secretary confessed that she couldn't guess.

"I told her," the Dean said, "that if I had to meet with that mixed-up girl many more times I'd go out of my mind."

"You know," the secretary said solemnly, "just to talk to that girl, you'd never know she was that way. All these girls running around in sweat shirts and blue jeans, *they're* the ones who don't go to chapel."

The Council put off the meeting for a week in order to prepare for it; despite the Dean's disclaimers, they believed they were being called on to show cause why the case should be taken to the administration, and they weren't about to be made fools of again.

The meeting, when it came, was a solemn occasion. The Council president sat at one end of the great oval table and Courtney at the other, linked by girls around both sides, many with manila folders before them. One girl submitted the fact that, according to certain reliable sources at Yale, Courtney's bearded boyfriend in New Haven was a Communist. Another girl (the head of the campus chapter of Young Americans for Freedom, a girl who was fond of calling William F. Buckley Jr. "Bill" and of knowing exactly what he was up to whenever the fuzzy-headed liberals said he was up to no good) brought up the subject of what her father would think of Talcott College for condoning "a girl like that." Obviously no one at the table thought for a minute that Courtney had stayed out all night with a bearded Communist to eat ice cream at Ho Jo's, but all of them saw the need to stick to matters that were their business and to accusations that could be proved if necessary.

"Every girl on this campus takes the honor of the college with her wherever she goes," the first girl said. "She's desecrating us all! She's desecrating you, and you, and you"—she went around the room—"she's desecrating Dean Bradford, she's desecrating me!" She subsided into an emotional silence, her hand pressed to her chest.

"Courtney?" the Council president said.

"Gee," Courtney said, "I hadn't thought of it that way."

"Do you understand how we feel?"

"You mean 'desecrated'?"

"I mean, do you understand or don't you!"

"It's not a question of her understanding it," the first girl said. "Any degenerate can *understand* it. It's a question of whether she respects it!"

"Golly," Courtney said. "I can't respect desecration—that's sick. Desecration gives me the willies."

"That's not what I mean!"

"How am I going to keep somebody like you from feeling desecrated?" Courtney wanted to know. "If you feel desecrated, that's your problem, huh? Not mine. When it comes to feeling desecrated, it's every man for himself."

That did it. Up until then the proceedings had been fairly orderly, partly for the Dean's sake and partly out of the girls' recognition of the fact that things could easily get ugly if they weren't careful, but that last insolence loosed the hounds in them: They accused Courtney of being a dirty, drunken little slut. What they had been advertising as moral indignation was suddenly revealed to be nothing but hatred posing as righteousness. The Dean, assuming that Courtney was unaffected, that she would sit it out calmly and shame them all, was embarrassed for the girls and for herself too. She was about to leave the room, as a way of registering her protest and bringing the girls back to their senses, when the whole business took an abrupt turn.

Suddenly everybody was staring at the girl sitting there at the end of the oversized table, the fingers of both hands hooked over the edge. Courtney wasn't looking at anyone; she was just staring straight ahead, her round, innocent eyes sorrowful and hurt. She was close to tears.

"I try," she said, shaking her head, "I really do. I try as hard as I can. I don't want to cause trouble, I really don't."

No one knew what to say.

Finally the Council president pointed out that people had to be judged finally by what they did, not by what they intended to do. No girl there in that room had been admitted to Talcott College just because she'd tried hard, and no one would be graduated, no matter how hard she tried, unless she met certain objective requirements. It was just the right tone, conciliatory without being soft, apologetic without compromising the hard justice of the Council's position. All the girls nodded with relief and pride.

Then someone wanted to know, well, where did they stand? At which point,

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again to everyone's surprise, Courtney got out a typewritten statement and read it. No one, not even the Dean, doubted for a minute that she meant what she was saying. She spoke of the fall colors around the lake, the red and yellow and orange of sumac and maple, and of the fallen leaves scattered across the lawns and paths and parking lots; she called to mind the sound of the chapel bells, and the view of the lakeside tennis courts from the path up the hill; she spoke of the great rambunctious Brueghel scenes at dusk on a bitter winter day, when the frozen lake was crowded with skaters and dogs and racing children with hockey sticks; she spoke of the common rooms where some barefoot girl in a robe was forever ironing, of the long bull sessions with girls wandering in for a while and then back out again, of the transformation every weekend of teen-agers into chic young women in heels; she spoke of snowplows clearing the campus roads late at night, of the look of the lighted dorms on the snowy hillsides around the quad, of the couples courting outside those dorms just before the doors were locked, of the concerts, the plays, the readings, the lectures; she spoke of girls sunbathing on the roofs in spring, of the redwing blackbirds singing in the field below the gym, of the boys coming in from Yale and Wesleyan and Princeton and Amherst and colleges all over New England.

In closing she read the Donne passage about how no man is an island unto himself but each a part of the main, and when she finished the room was absolutely silent again. The Dean found herself deeply moved.

The Council president looked slowly around the room. "I don't think anything more needs to be said."

"I don't think anything more *could be*," someone said.

For several weeks the Dean waited for something to happen, but nothing did. She wasn't particularly comfortable with the idea that Courtney was on her way to becoming a thoroughbred Talcott girl, but it had happened before and no doubt would again. In time even Elizabeth Dickinson went on record as giving the girl a chance to grow up and become civilized. The Dean was about ready to chalk up another one for good old Talcott College when she got a note from the Dean of one of the sister colleges saying that she ought to know that some girl at Talcott, claiming to have the name and address of the greatest lover in France, was trying to organize a summer pilgrimage composed of one girl from each of the sister colleges.

And the very next Saturday, Courtney stayed out all night without signing out, and didn't return until a little before nine the next morning. The girls were pouring out of the dorms on their way to church when a bright red sports car, driven by a bearded man and followed by four motor scooters, idled in, deposited Courtney unceremoniously in front of Brewster, and idled back out again, the string of scooters wagging behind the sports car like a tired tail. The doors of the dormitory were wide open, but Courtney, who was still drunk, stood on the stone wall around the beech tree demanding to be let in. "Open up!" she kept shouting, as though it were late at night and the place locked up tight. "Open up!" Then she jumped off the wall, climbed into the housemother's car, which was parked near the door, and started blowing the horn, stiff-arming it with both hands. Before long every girl in the dorm was downstairs and out on the sidewalk. They had to wrestle Courtney inside and onto the elevator. Poor Elizabeth Dickinson spent the rest of the day under sedatives.

The next morning the Dean scotched all formalities and dialed Courtney's number herself. The phone rang and rang, but no one answered. The Dean sat there, elbows on the desk, and waited. There was something exhilarating in the fact that Courtney hadn't become a Talcott girl after all, but it was the sort of feeling she knew she couldn't indulge. Finally Courtney picked up the phone.

"Courtney?"

"Yes, ma'am."

"Dean Bradford."

"Yes ma'am."

Silence.

"Your metabolism is rather sluggish today. I've been ringing for five minutes."

"Yes ma'am, you know, I heard something ringing, but I thought it was the alarm."

"It *is* the alarm, my dear." The Dean paused, but nothing came over the phone except Courtney's breathing.

"Can't you say anything but 'Yes ma'am'?"

"Yes ma'am. I mean, no ma'am." Courtney laughed. "Sometimes I reckon I just don't know what it is people want me to say."

"What does that mean?"

"Well, sometimes I just don't know what you-all want."

You-all, huh? The Dean stalled for as long as she dared, hunting for an oblique way to distinguish herself from Elizabeth Dickinson and the Talcott girls, but she knew that Courtney had her.

"What we-all want, my dear, is for you to abide by the rules. That's all, I can assure you."

There was a long silence, by which Courtney managed to insinuate—or so it seemed to the Dean—that she knew that was a lot of guff, and that the Dean knew it too.

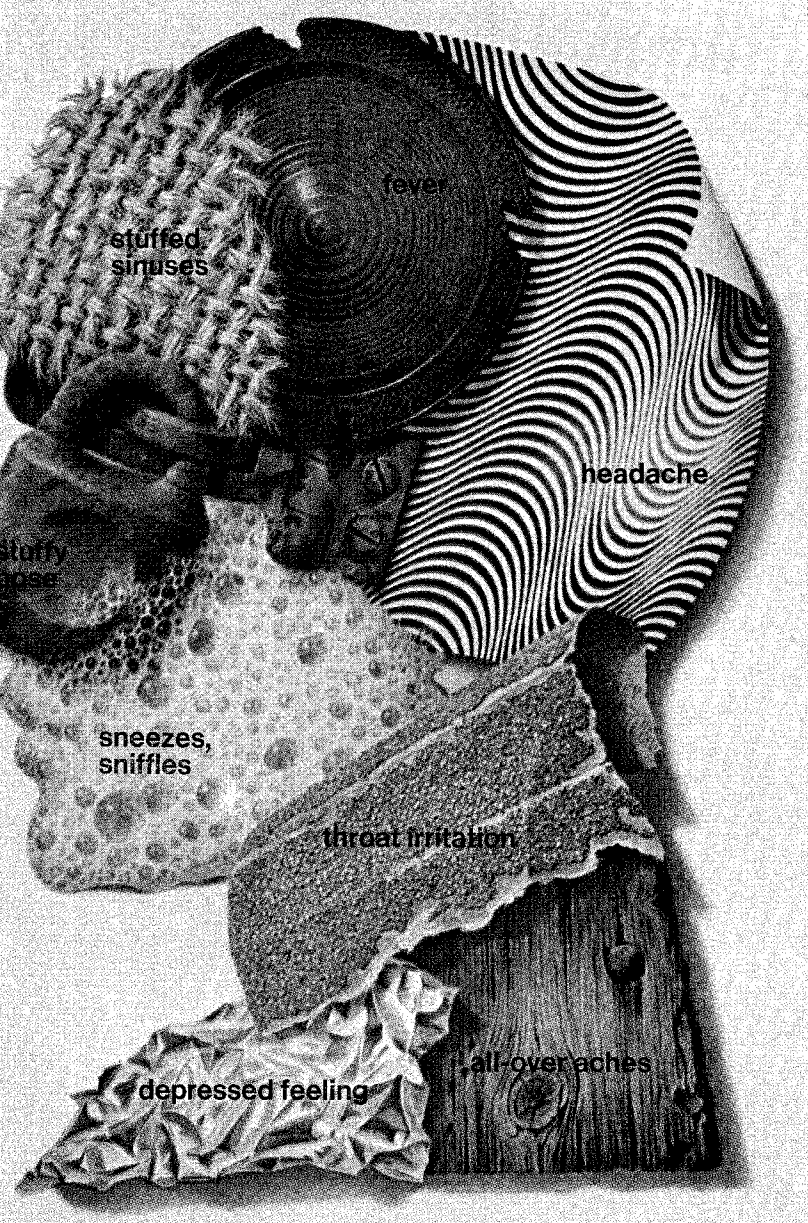
"I'll give you an hour to get dressed and get over here, Courtney. If you're not here in an hour—don't come."

By the time the girl arrived, the Dean had spoken with her parents, with Miss Finch, and with the housemother. Campus life could no longer tolerate Courtney (even the girl's father wanted her expelled), but the Dean, despite her own qualms, finally persuaded everybody that Courtney should be allowed to finish out the few remaining weeks of the year by living, under dormitory rules, with an uncle in New Haven.

The poor uncle was an elderly lawyer who had seen her no more than a dozen times in his life—one day he and his wife were living the perfectly civilized life of a New England couple of means, and the next Courtney Pettit was in residence. The rules were hard enough for the Talcott people themselves to understand, so it was no wonder he found them utterly confusing. Almost every day either he or his wife phoned to check Courtney's interpretations with the Dean's office.

The weekday eleven o'clock check-in, did that mean the girls had to be in their rooms or merely on the premises? He was asking because Courtney had

Your cold is equal to the sum of all its miserable parts-



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sat in a car out in front of the house the previous night from eleven until nearly one A.M. No, the Dean said, eleven o'clock meant in the house with the doors locked. So the next night Courtney brought her New Haven friends in with her, five of them with three guitars. Neither he nor his wife had anything against young people having a good time, the uncle told the Dean, but he felt obliged to see that Courtney kept her part of the bargain, and he was beginning to suspect that she was taking advantage of his lack of familiarity with the rules. He hoped he wasn't being merely old-fashioned, but to be quite frank neither he nor his wife found much to appreciate in the young people she was bringing into their house—they certainly weren't the sort one would expect a Talcott girl to be running around with. A few days later he called the Dean the first thing in the morning and said that if that girl wasn't out of his house by dinner time, he was going to call her father to come after her.

The Dean got Courtney out of class to the phone.

"Guess who."

"Dean Bradford?"

"Guess what."

"I've had it," Courtney said.

"You said it, honey."

"What's the matter now?"

"You're attending classes at Talcott College, and you're no longer a student here, that's what's the matter."

"Really?"

"Really."

"Gee."

A long silence. Did Courtney honestly not care? Hard as it was for her to face, the Dean was afraid that this girl was insisting on their differences, and she felt betrayed. She knew that when it was all over, when she was left with those who cared about nothing else, that she would want Courtney not to have cared at all, that she would be drawn to the idea that there was somebody out there in the world who appreciated everything that Talcott had to offer and was still able to toss it all away with ease. Now, though, there was something in the Dean that wanted to see a little chink in the girl's armor. "How's the pilgrimage to France shaping up?"

"How did you find out about that?"

"I just assumed that's what you'd be doing this summer."

Courtney laughed appreciatively. "It's falling through. I've got a Cliffy and a girl from Barnard, but the others aren't coming through. Everybody over at Vassar is shook about the school's reputation. I haven't heard a word from Smith—are there people still sort of moving around and breathing over there at Smith?"

"Some. sort of," the Dean said.

Another silence.

"Your bearded Communist boyfriend, don't you think that's going just a bit far? I mean aesthetically? You disappoint me at times, Courtney."

"He's not a Communist, Miss Bradford."

Okay, so he wasn't a Communist. She ought to have known—another point for Courtney Pettit.

"I suppose you were just too ashamed to admit it, though."

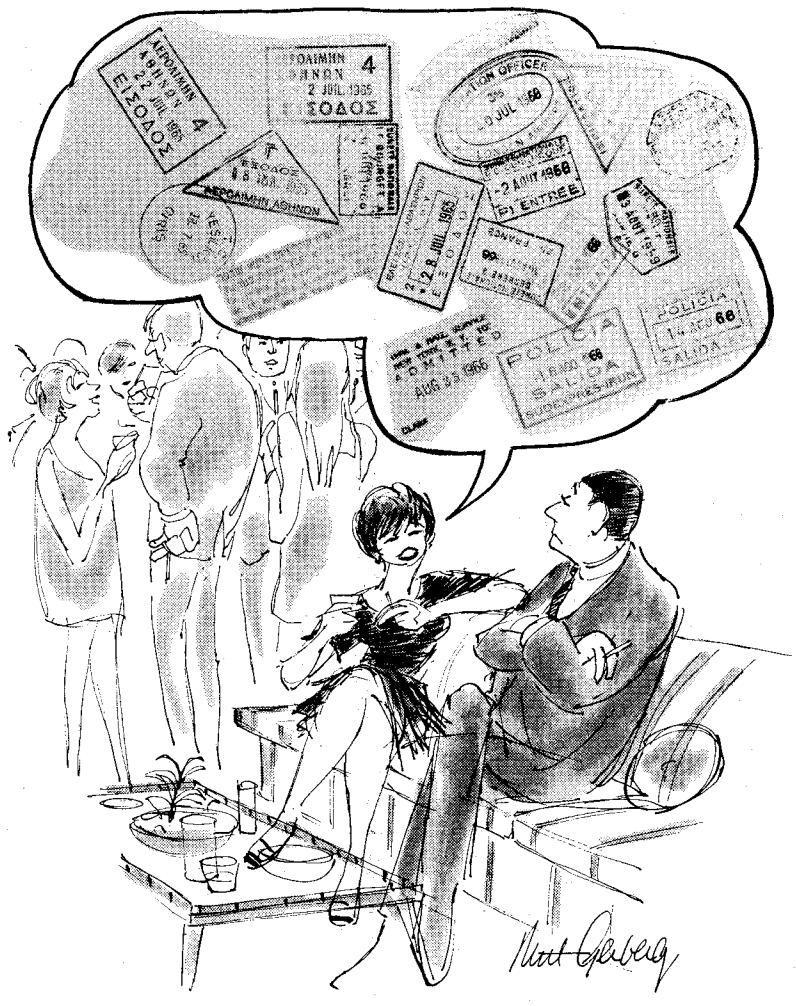
Courtney laughed again, and the Dean found herself responding to the girl's appreciation.

"I went out on a limb for you, I trust you realize that."

"Yes ma'am, I know you did."

A pause.

"Do you want to come over here and



THE SATURDAY EVENING POST

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talk about it? There's nothing that can be done, but we can talk about it." The minute she'd said that, she was sorry.

"I will if you want me to," Courtney said.

A long silence this time.

The Dean was suddenly disgusted with her own naïveté and weakness. "Forget it," she said. "Just get the hell out of here, will you? I don't want to see you around here after today, do you understand?"

"Yes ma'am."

Late that afternoon Elizabeth Dickinson telephoned to find out what had happened, and as the Dean sat there at her desk listening to the housemother go on about the whole affair, she saw three girls pull off their shoes and walk across the lawn outside her window, dragging their feet sensually through the grass. Suddenly they tossed their books to the ground and raced up the long steep terrace, laughing and screaming, slowing as they approached the top, pulling their long shadows, until they were barely moving. Then, like stunt planes peeling off, they angled along the ridge of the terrace for a few yards, picking up speed again, and then they dove to the ground, one behind the other, and let themselves go, rolling like logs back down the hill. Their laughter rang out in the clear spring air; along the campus walks girls stopped and smiled and hugged their books and watched. Down they came, faster and faster, their supple bodies spinning through the lush grass, their skirts and blouses and legs and arms and hair a blur of free-wheeling light on the green hillside. Unconsciously, the Dean lowered the phone against her neck, pressing Elizabeth Dickinson's voice out of hearing for the moment, and held her breath—held it for the girls' safety, for the sheer beauty of the life that was in them.

Elizabeth Dickinson said, "You know, there are some people who just don't appreciate Talcott College, and they just don't belong here—it's as simple as that."

"Maybe you're right," the Dean said. Why was it she couldn't acknowledge the claims those girls out there had on her without getting involved with the likes of Courtney Pettit? Sometimes her life seemed to be nothing but a crude mockery of the distinctions her mind lived on. "But nothing's as simple as that," she said to Elizabeth.

One drink that evening before dinner and she knew that she couldn't face the little old ladies in the dining room, so she just sat there in front of her TV in a kind of stupor, eating blue cheese and crackers and drinking bourbon. After a while she dozed off, woke, and struggled into the bedroom. Several minutes later she found herself sitting on the side of the bed with her shoes and stockings off and her blouse unbuttoned, but she couldn't figure out whether she was supposed to be dressing or undressing.

The phone rang, piercing her stupor. It was Miss Forman, the head of Physical Education, calling from the next apartment house. She needed the Dean's help with a little problem. The matron over at the gym had just phoned to say that the new young man in English, Mr. Klein, had played squash with a friend during the dinner hour and hadn't returned the squash-courts key. Since Mr. Klein was just across the hall there from the Dean, Miss Forman wondered if she would mind inquiring about the key. Why, of course, the Dean said, she'd be glad to. As it turned out, Mr. Klein hadn't pocketed the key—how could he? he said; it was wired to an old Ping-Pong paddle—he had left it, not at the matron's window, but around the corner on her desk, where he'd assumed it was conspicuous enough. The Dean phoned the information to Miss Forman and, though it was still early, went to bed.

It wasn't until the next morning that it hit her just how odd the whole business about the key really was. In the first place, what the dickens were they locking the squash courts for? Bravado? In the second place, with all the duplicate keys around, surely there was no immediate need to recover the one Mr. Klein had used—they were just antsy at the idea of a man (a new young man at that!) running off with a key to something they'd locked up. And even if they'd needed that particular key that very night, and been reasonable in suspecting that someone had run off with it, paddle and all, why had the matron called Miss Forman instead of Mr. Klein himself? And why had Miss Forman, instead of contacting Mr. Klein directly, carried the matron's foolishness just that much farther? And worse still, the Dean thought, what about herself? What really shook her up wasn't that she'd gone along with the whole silly thing, but that she hadn't seen anything silly about it. It had seemed a perfectly natural little problem being solved in a perfectly natural way—if a man runs off with one of your keys, then naturally you've got to get it back immediately, and naturally you can't just ask him for it. One doesn't go around insulting people, even when they do behave suspiciously! The Dean tried to make allowances for herself—she'd been drinking, hadn't she?—but she'd destroyed that excuse too many times in dealing with the girls. The real trouble, of course, was that all of it *was* perfectly natural—natural to the little old ladies at Talcott College.

The next morning, before she had a chance to change her mind, the Dean took an apartment in New Haven and informed the housing office that she was moving out; that afternoon she left her office early and loaded the back seat of her car with her belongings. If she got fired, well then she would just have to get fired, for it seemed clearly a matter of life and death to get some distance between herself and the college.

As she was waiting at the gate for a break in the rush-hour traffic, a horn beeped, and there behind her in a sleek little red sports car with the top down were Courtney Pettit and her bearded boyfriend. The Dean's heart jumped. Her eyes met Courtney's in the rear-view mirror, and they both smiled politely, the smiles growing steadily richer until, in unison, they burst out laughing. The moment was shattered, though, when the horn beeped again, this time with unmistakable mockery, telling her to move out or move over. The Dean's smile vanished, but Courtney only laughed that much harder. What they would infer from her loaded car the Dean didn't know, but she felt revealed before them, as though they were seeing something that she did not want them, of all people, to see. If they tooted that horn again, she would scream! No, she would just sit there, by God, until they quieted down, and then she would —— Suddenly they swung out behind her, and with Courtney's head flung back in laughter, proceeded to show her how it was done. The Dean had been thinking that she would get out and walk back there calmly and say that maybe *they* weren't intimidated by rush-hour drivers, but she was just a hung-up Talcott lady herself and there was no telling how soon she would find her way into that kind of traffic—and then they shot around her, bluffed their way recklessly in, and roared off toward New Haven, trailing Courtney's laughter like tin cans behind a marriage car, leaving her there alone at the college gate. □

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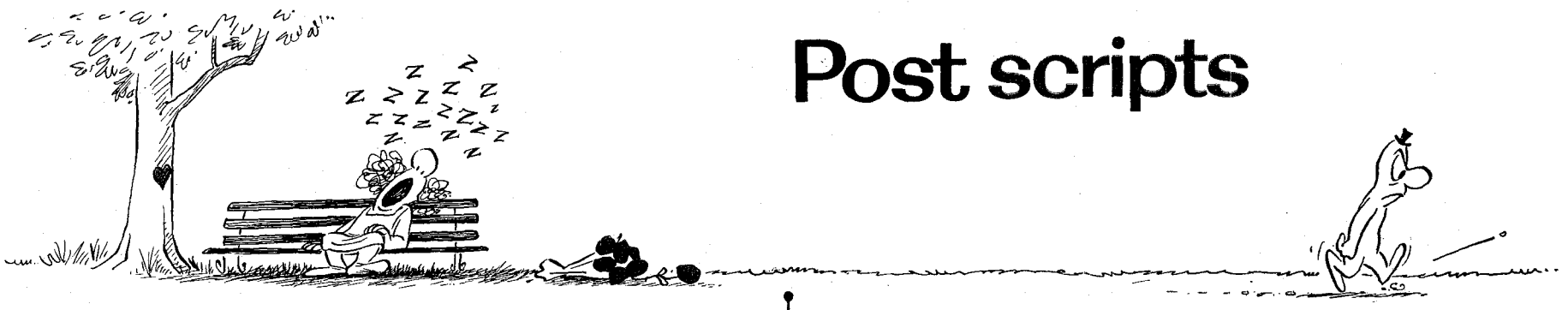
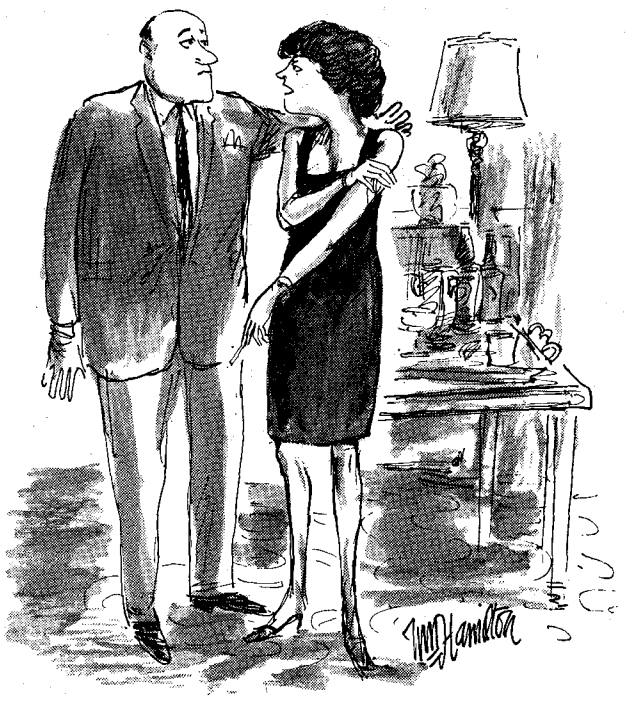
Post scripts



"I'm looking for a card that says 'I love you' without getting myself emotionally involved."

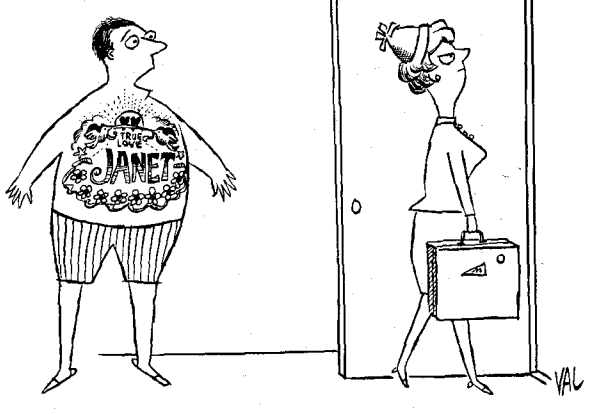
"I just hate the thought that you are my kind of man."

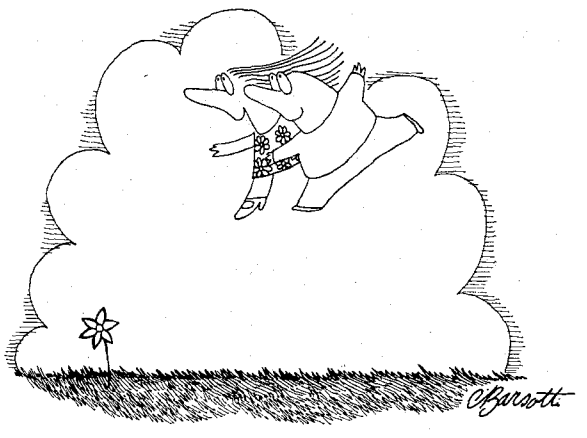


"Oh Harold, the poignant dilemma of a highly educated and sensitive American woman is not alleviated or absolved by a mere pat on the back from a tool-and-die executive."

"What's the Fruit-of-the-Month Club?"

"But, Janet, you can't leave me."





"Oh indeed, Lawrence, you are my valentine. And to think I almost married an accountant."

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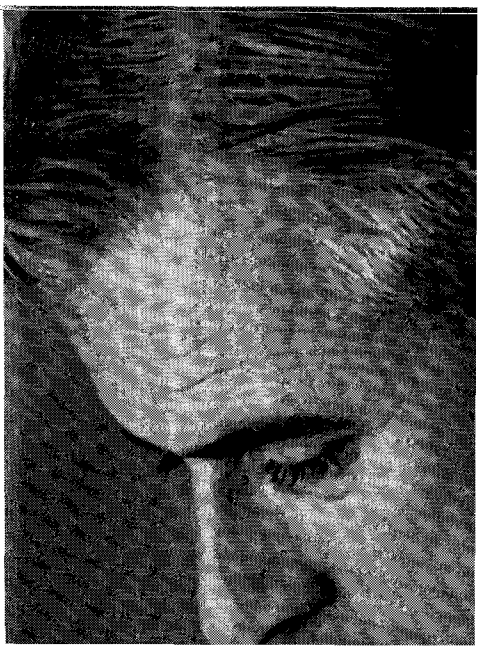

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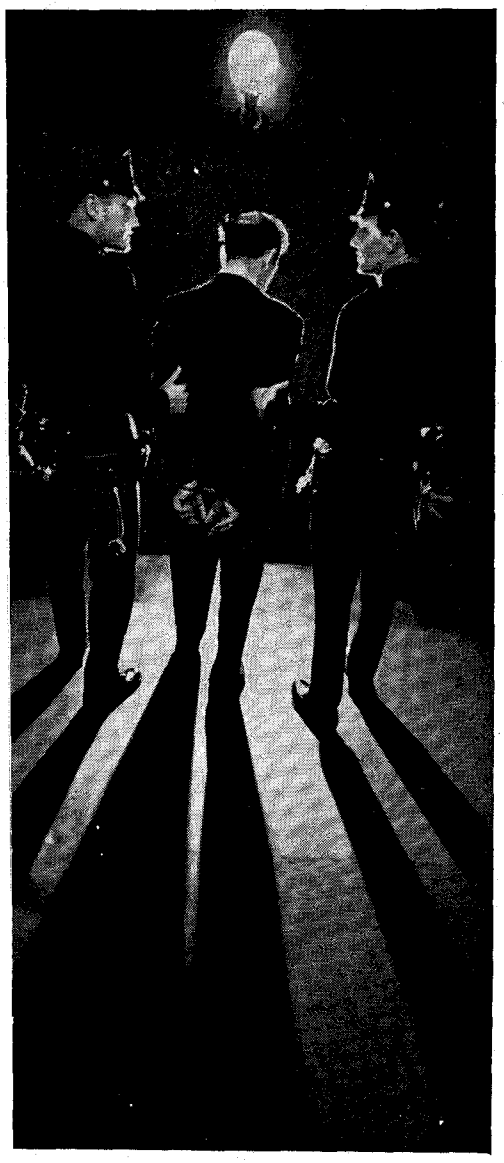
THE CRIMINAL AND THE LAW

(continued from page 27)

released by the police themselves than by the entire legal process of arraignment, preliminary hearing, indictment by the grand jury (where this custom exists), and trial. A defendant's next best chance is to persuade the D.A. not to prosecute; six or seven times as many people are released between arraignment and trial as are acquitted after a trial. A good proportion of these will be defendants (like our young man whose girl decided she wanted him even though he had beaten her to a pulp) who have never troubled to deny the charges against them—but for one reason or another it seemed impolitic for the prosecutor to proceed. Of the cases where the prosecutor does decide to press charges, something over 95 percent (in Manhattan, the figure runs about 99 percent) result in conviction by guilty plea or verdict.

"The sad fact is that the cops don't go around arresting people indiscriminately," says the New York defense attorney Harris Steinberg, a sober, deeply thoughtful man who came into the criminal field largely because there were no other jobs in the late '30's for young Jewish graduates of the Harvard Law School. "And the district attorneys don't go around indicting people indiscriminately."

Nobody is trained at a law school—or prepared by the culture—to operate as a defense lawyer in a system of criminal law like ours. It is a true paradox (though probably an inevitable one) that a period when the Supreme Court is insisting on ever-widening representation by lawyers in the criminal process should also be a period when the traditional and popular function of the lawyer in the criminal courts has almost disappeared.



Only men who had been through it before knew what to expect when the arresting officers brought them in to headquarters.

Almost—but not quite. "I have sympathy for these people; they're my clients," Steinberg says. "And there's a great deal the lawyer can do. A man may have had a stroke or a heart attack—he doesn't think it has anything to do with his stealing the money, but I may know the D.A. has a policy of not indicting someone it may kill. A man may not know that the person who will testify against him is an accomplice whose testimony has to be corroborated, and that it isn't. He may not know the statute of limitations has run."

After a brawl in a bar the police will bring in and book the man who's still standing up—and he may regard himself as guilty, because he knifed somebody. But he may have a valid claim of self-defense. A boy who was part of a criminal group but didn't directly do anything may not have committed any crime, even though he identifies with others who are guilty, and the police have brought him in. He needs a lawyer to tell him he is clear.

Basically, however, the criminal defense lawyer, like lawyers in many different areas of the profession, works as a negotiator for his client. The aim of the negotiations is to trade a plea of guilty for a reduction in the seriousness of the charge and/or the promise of a light sentence. "Plea bargaining," as this process is called, has no legal standing, but it is the central phenomenon of our system of criminal justice.

"Maybe the most common crime in America," says a New York lawyer who takes occasional court-assigned criminal cases, "is the perjury of the defendant who swears before the judge that he hasn't been promised anything in return for his plea of guilty." It is not that the judges do not know what has been going on—normally, they do, and may even have been consulted—but that without such a statement in open court a convict may later take the option of appealing for a new trial on the grounds that his guilty plea was induced. A few weeks ago, the first report from the A.B.A. minimum standards project, by a committee headed by Justice Walter Schaefer of the Illinois Supreme Court, called on the courts to recognize plea bargaining as wholly legitimate, and to find ways by which judges can promote and control this negotiated justice.

As Judge Henry T. Lummus of Massachusetts once wrote, "The fact is that a criminal court can operate only by inducing the great mass of actually guilty defendants to plead guilty, paying in leniency the price for the pleas." More than 600 people are arraigned every day in the seven "parts" of the Manhattan criminal courts; and there are fewer than a hundred lawyers in the district attorney's office. If even one percent of these 600 arraignments were actually to proceed to a full-fledged trial, the system would break down instantly. On a smaller scale, the same situation holds everywhere. A Midwestern prosecuting attorney told an investigator from the American Bar Foundation that "All *any* defense lawyer has to do to get a reduced charge is to request a jury trial."

Sometimes the prosecutor is not, in fact, paying much for the plea. In a rape case, for example, conviction may be hard to get because of the girl's intense reluctance to testify; reduction to an assault charge in return for a guilty plea may be the State's best result. The stiff mandatory sentences for burglary, which frighten defendants, make convictions much harder to obtain, because juries don't like to slap people in jail for 10 years just because they broke into a house; reduction of the charge to breaking-and-entering, at a year or two, makes the prosecutor's life easier. Some of the State's evidence may have been illegally seized by the police, and would not be admissible in court; or the State's witnesses may have criminal records, which gives a jury pause.

For the man who committed the crime and believes he will be convicted (and a guilty man must be highly experienced and sophisticated to give himself much chance of acquittal), even fairly small favors may seem desirable: there is a big difference between 18 months in jail and three years. The offer is particularly attractive when it involves reducing the charge to a misdemeanor rather than a felony, because felony convictions may involve the loss of citizenship rights, down to and including the right to hold a driver's license—and because some "recidivist" statutes demand life imprisonment after a third or fourth felony conviction. The importance of this factor was demonstrated in a recent study of city criminal courts, in which between 50 and 90-plus percent of all cases were disposed of by guilty pleas—except in Las Vegas, where the District Attorney did not have the right to reduce charges to misdemeanors, and only 20 percent of accused felons "copped out."

What the lawyer normally seeks for his client in a criminal situation, then, is not vindication and acquittal, but a conviction followed by a suspended sentence or immediate parole. At the Los Angeles Public Defender's office (in its own way a civilized place, where the management supplies newspapers and magazines and people take a number and sit on an upholstered theater seat rather than a wood bench while waiting for a lawyer), a young assistant bursts in on an interview to tell his boss, gleefully, "You know what Rosy did to my man? Reduced it to simple assault, and let him off with time served. . . ."

In the vast majority of cases the negotiation of these pleas is the real contribution the criminal lawyer makes to his client. Some judges will not accept naïve guilty pleas to charges like armed robbery and nighttime breaking-and-entering, which are *always* reduced on negotiation (the reduction from armed to unarmed robbery is known as "swallowing the gun"). But there is no question that a lawyer can make a better deal than a defendant can.

How much money the lawyers make for hanging around the courts is a matter of some dispute. Because their clients are poor people with poor relatives, lawyers can rarely hope for more than $250 for a case that goes to trial, and must often make do with $50. Criminal practice is, however, the one branch of the law where lawyers collect their fees in advance. Not long ago, an older New York lawyer with little experience in the criminal courts had a client who had been picked up in another county for drunken driving, and for whom a conviction at precisely this moment would be extremely inconvenient. He wanted a postponement, but knew of no excuse a judge would have to accept, so he consulted with the young assistant district attorney who would be on duty that day. The D.A. heard the reason for the postponement, which was a good one, and said, "That's all right. You just tell the judge you haven't been able to get hold of your witness, Mr. Green."

"But I don't have any witness named Mr. Green."

The D.A. looked incredulously at the older lawyer's white hairs and said, "Don't you *know*? It means you haven't been paid. Any judge will give you an adjournment on that. . . ."

In Washington, D.C., these matters are handled more formally: A lawyer still waiting for his fee comes into court and demands an adjournment "pursuant to Rule I of this Court. . . ."

Private lawyers are to some extent paid to be sympathetic. Sometimes this sympathy shows in a protective coloration of self-proclaimed corruption, because a criminal likes to hear his lawyer say that he has the D.A. or the judge in his pocket (and sometimes it is true); but even without this, the private lawyers' relationship with criminal clients is simply a more human relationship than most public defenders or Legal Aid lawyers can maintain. Because the public and agency lawyers maintain an essentially correct rather than cordial manner with their clients, moreover, the legend grows that they don't really *defend*, which is absolute nonsense. Indeed, the private lawyer who lives on small fees from poor people is more likely than the public defender to sell his client the need for a guilty plea, partly because he considers (usually correctly) that it is in his client's best interests, and partly because he doesn't have the resources to try cases.

Legal Aid and defender offices in varying strengths (up to 166 lawyers in Los Angeles) are supported from tax revenues in many states. Where this is the case, the salary scale will be that of the D.A.'s office, ranging up to $20,600 a year in California. In other states the offices are supported by charity or federal grant. Despite rumors to the contrary, these offices all maintain a policy of never urging a man to plead guilty unless he admits his guilt. Anthony (Chick) Marra, head of the New York Legal Aid office in the criminal courts, who has been defending indigents since he left Fordham University

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Law School in 1937, remembers a case where a defendant insisted on standing trial despite an overwhelming case against him. When it was over, and the man had been convicted on a maximum charge, Marra asked him what on earth he'd expected.

"He said," Marra recalls, "'I was wearing a lucky tie.' I said, 'What do you mean, a lucky tie?'

"'The last three guys who wore this tie were acquitted—so I thought I'd take a chance.'

"I said, 'You know what you can do with that tie? Go tie it around the bars and hang yourself.'"

The few large and respectably financed defender offices have teams of investigators who can check out the client's story. Most of the investigators are retired detectives, who can get some help from their old buddies, know how to locate witnesses by nicknames, and so on. Particularly in California, where defenders and assistant D.A.'s are assigned to the same courtroom for at least a year and see each other daily, the "charity lawyer" often has good working relations with the prosecutor. "He knows you're not in it for money," one defender says, "and you're not going to suborn perjury. He'll give us his case, where the private attorney will have to make a motion for a bill of particulars, and even then won't get as much." If the public defender comes troubled to the D.A. to say he's pretty sure his client is innocent, he will be taken seriously.

In the majority of courts in smaller cities, lawyers are simply appointed (sometimes without any fee whatever), to meet the constitutional requirements of counsel. (Federal courts could not offer fees to appointed counsel until the Criminal Justice Act of 1964.) Their total preparation for the defense may be a 10-minute talk with their unwanted client, after which they take a further 10 minutes of negotiation with the D.A., and the client is usually advised to plead guilty. Still (though not for the reasons set forth in the Supreme Court's magniloquent opinions), the defendant is probably a lot better off than if he'd never had a lawyer at all: He's not at the mercy of the court; he's got a deal. Most important of all, perhaps, his lawyer will know (as he will not) before which judge he should plead to secure the minimum sentence, and will know how to manipulate the situation so he comes before that judge.

American judges have long exercised wide discretionary powers in enforcing the law. In dealing with lesser offenses the system has always relied fundamentally on the judge himself. The policeman brings in a drunk, a prostitute, a brawler, a gambler; and in most places, even where there is a public prosecutor in the court, the judge takes over most of the questioning himself, to see what happened. ("Sidewalk came up and hit you, eh?") These courts process enormous numbers of cases—literally millions a year. A judge in Los Angeles, permanently assigned to this duty, has estimated that he handles 60,000 drunk cases a year, all by himself—nearly one a minute. Apart from the occasional case of the cop on the vice squad who can see too easily what looks to him like soliciting, or the man who says that she bit him before he slugged her, or the "drunk" who just happened to be on that street when the cops came through with orders to clean it up, there is no contest here. The defendants were picked up because the cop actually saw them doing something; the doubt at most is whether the cop actually saw what he thinks he saw, and the only real question is what should be done after "conviction."

Courts that try more serious offenses are supposed to have a more serious purpose: They are supposed to act as umpires to assure fairness in a presumed contest between the State and the accused. But as volume pressure grows, these courts, too, tend to believe that there is no contest, to place the fundamental determination of guilt or innocence upon the police and the D.A.'s office, and to use judicial office simply to assure minimum procedural regularity.

The fact is that the long-standing "adversary system" of criminal justice is in deep trouble in the United States. The central assumption of the system is that

Panasonic invents a television set that turns into a radio when there's nothing better on TV than the 10th rerun of "Son of Mummy."

You know the problem.

It's rerun time again.

So what do you do?

You get out the Panasonic TR-903R.

It's a television set when there's something good on television. And it's an FM-AM radio when there's nothing good on television. And "it" has a built-in timer to turn itself off if you don't.

Panasonic, you see, is a company that makes a habit of inventing things. Not gimmicks, mind you. But useful, practical, out of the ordinary things.

And this time they've invented the TR-903R.

The TR-903R is, in short, a portable entertainment center. Not the kind that'll break your arm every time you budge it. But a compact unit that measures only 12⅜" x 9" x 8⁹⁄₁₆". And weighs only 13.2 pounds.

And just in case you want to take the TR-903R with you to the Great Outdoors, there's an optional 12-volt rechargeable battery pack that can take over.

The TR-903R is small because it's Solid State (no tubes to burn out or wear out). Forty-five Solid State devices in all.

But that doesn't mean the screen is so small you've got to squint your eyes to see it.

The Panasonic TR-903R has 37 square inches of viewing area.

It also has a slide-rule dial, so you don't fumble when you're tuning the FM-AM radio.

It has a big 4" x 2½" speaker. Three built-in antennas that make sure you get what you want to get. And a wood-grain finish cabinet that matches most anything.

Your next question probably is: "Who is Panasonic?" A good question. Panasonic is a company with 2,500 scientists and research engineers.

It's a company with 40,000 skilled technicians. It's a company that sells 4,500 products in 120 countries. Has 72 factories. Holds more than 14,000 design and patent rights.

Panasonic designs, makes, and assembles every vital part of the TR-903R.

We don't just slap our television sets together.

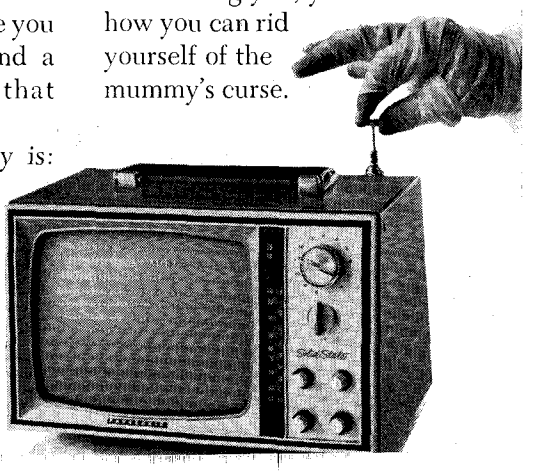
We *make* television sets. With quality control from start to finish.

And that's not all we make. We make phonographs, radios, tape recorders, color television, literally every conceivable home appliance you can think of.

Now if this doesn't convince you that you can buy a Panasonic with confidence, we know a man who can.

Just walk into any store that we permit to carry the Panasonic line and ask the salesman what he thinks of Panasonic.

We kind of think that when he finishes telling you, you'll see how you can rid yourself of the mummy's curse.



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"truth is best discovered by powerful statements on both sides of the question," in the words of Baron Eldon, lord chancellor of England in the days of George III and George IV. Because of the inherent disadvantages of the accused, the adversary system in criminal procedures relieves him of the need to state a side, relying instead on his ability to cast doubt on the prosecution's case. By contrast, the "inquisitorial system" of the European continent places the State itself in the role of truth-seeker, with an inquiring *juge d'instruction* to gather all the evidence on both sides and decide whether public prosecution should follow.

An inquisitorial system assumes an efficient and fair administrative procedure in criminal justice. An adversary system assumes that the State may have other goals. Under that assumption, rules were developed to ensure against malicious prosecution. These rules included the defendant's right to confront and examine his accusers, to produce witnesses in his defense (by court order if necessary) and to challenge all evidence against him. He was permitted to have someone speak for him, though until well into the 18th century he was not allowed to give testimony for himself, on the grounds that he had too strong a motivation to lie.

Rules of evidence—of what might and might not be heard at trial—were gradually strengthened to make sure that juries could not be misled by plausible reports of what someone had reason to believe. Only what the witness himself saw or heard could be admitted when serious business was afoot, although even then the system was subject to the fallibility of human perception. (There is a case on record in Germany where somebody identified an assailant who had hit him in a pitch-black room—he had seen the man, he testified, by the light of the sparks he saw when he was hit.)

To prevent "fishing expeditions," judges in England and in the United States demanded that the prosecution be absolutely exact in its indictments (to the point where an indictment for stealing sheep was thrown out, and the defendant released, because the proof involved the theft of lambs). They refused to permit the prosecution to amend an indictment after it was filed. They severely restricted the use of circumstantial evidence, which creates reasoned suspicion rather than objective proof of the defendant's guilt.

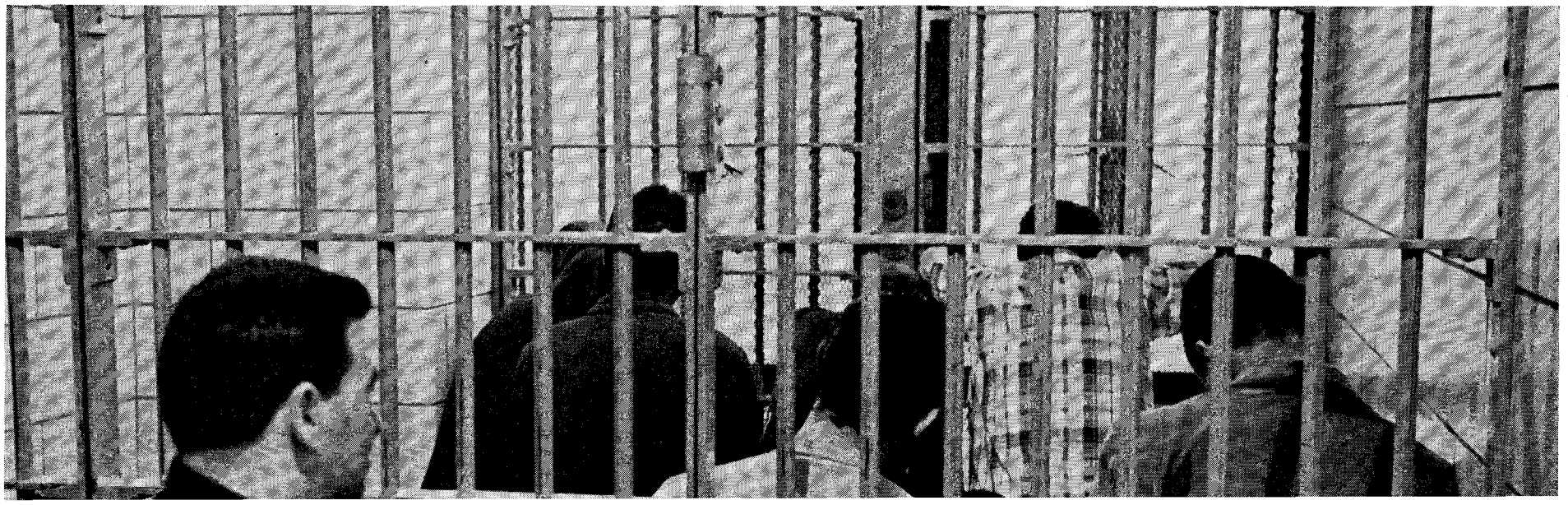
These principles of Anglo-American criminal justice were laid down before there were such things as police departments or professional prosecutors, when criminal charges were most frequently brought by individuals, who bore the responsibility of gathering the evidence themselves. The first police force was not started until 1829, when Sir Robert Peel hired one to control the London mob. From the beginning, however, the police showed alarming signs of independence and self-stimulated growth. By the mid-1830's, the London force had spawned an investigatory division, and had assumed the task not only of preventing crime but of "solving" specific crimes. Imperceptibly, during half a century of urbanization, the citizenry abandoned its historic role in law enforcement and acquired an attitude of "Let the cop do the dirty work; what else are we paying him for?"

Meanwhile, inevitably, science came to the aid of the police. Fingerprinting and photography arrived in the 19th century; the 20th century brought the matching of bullets to guns, blood chemistry, spectrography, X-ray diffraction, various forms of microanalysis—and, most important, wiretapping and electronic eavesdropping which, along with the ubiquitous plainclothesman, make up the half-conscious, half-automatic surveillance that oversees the apparent anonymity of the modern city and its inhabitants.

Complementing the police force, there arose in the United States the office of the public prosecutor, the District or County Attorney. He is in theory charged with protecting the innocent as well as convicting the guilty, and he has unlimited discretion not to prosecute. "I never took the word of the police," says San Francisco's Irving F. Reichert Jr., who went from the D.A.'s office to what may be the harder job of running post-law school programs for lawyers. "I always did my own investigating. There was one inspector whose cases I wouldn't prosecute, because I was sure he trapped people."

Dedication of this sort turns the D.A. into a French *juge d'instruction*, running an inquisitorial system of criminal justice and merely presenting cases for the ultimate verification, the seal of approval, of a jury. And everyone does, in fact, want the D.A.'s office to operate as a kind of ministry of justice: The harm done to someone who is prosecuted for crime in open court is never healed by an acquittal.

Most close students of the criminal justice system feel that its greatest single need is for a full-time, career service in the D.A.'s office—and that its worst horror is the collection of harried young part-time prosecutors, their minds on their fee-producing labors in their own offices, who make the



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decision to charge a man as a criminal without reading more than the first page of a police report. At this writing, Frank Hogan's office in New York is one of the very few prosecuting agencies staffed entirely by lawyers who are not permitted to supplement their salaries with private practice. Both the President's Commission and the A.B.A. Project strongly recommend major infusions of money into the D.A.'s offices, to staff them properly.

But if people are to be charged with crime only after a first-rate prosecutor's office has fully satisfied itself of their guilt, what becomes of even a theoretical "presumption of innocence"? How seriously can either a court or the public be expected to take the special precautions associated with an adversary system?

Impressed with the improvement in police techniques and perhaps overimpressed with an apparent growth in professionalism in the D.A.'s offices, the courts in the last generation relaxed many of the rules which had governed criminal cases in the 19th century. As the little courts confined their investigation to the question of why the cop believed he had caught a misdemeanant, the larger courts in effect began to question only why the prosecutor thought his man had done it. Indictments were opened for amendment (making plea bargaining possible) and rules of evidence were liberalized. Privileges against self-incrimination were held not to apply to fingerprints, blood, urine and handwriting specimens or appearances in police lineups. In many places it became settled doctrine not only that a man could be interrogated by the police, but that his *silence* in an interrogation could be used as evidence against him, on the grounds that an innocent man will cry out when accused.

By the middle 1950's, then, the criminal process operated roughly as follows: The police would be notified of a crime, would investigate on the scene and gather information from witnesses and possible witnesses and from informers. Having found what Justice Holmes once called "the magnetic point" around which their evidence seemed to cluster, they would arrest a suspect. They could then interrogate at length, and use whatever statements they got from the suspect, provided they kept their hands off him and let him eat and sleep regularly. In several Midwestern jurisdictions an American Bar Foundation study found that the police generally regarded *three days* as a reasonable time for processing a suspected felon before producing him in a courtroom—the local counterpart of New York's 1-A—to have a judge rule on whether or not they could hold him. In connection with the arrest, the police would search the suspect and any places associated with him which they regarded as reasonable sources of evidence.

In the typical felony case a prosecutor, armed with bundles of evidence gathered by the police (including a confession), would make contact with a defendant when he was brought to court for an appearance between sojourns in a foul local jail, and then he would negotiate a plea of guilty. Where the prosecutor was prepared to offer a suspended sentence—freedom now—the bargain was absolutely irresistible. But even when a guilty plea would involve a prison sentence, the prosecutor was well placed to bargain, because for most crimes the maximum sentences laid down by American state legislatures run from four to ten times as long as those in any other nation in the civilized world. In one recent year, all the courts in England imposed only 588 sentences with a maximum term of more than five years—while 18,000 such sentences were handed down in the United States.

As early as 1921, Roscoe Pound, dean of the law school first at Nebraska and then at Harvard, and never one to "coddle criminals," caught the direction of the wind and did not like it. "The function of securing social interests through punitive justice," he wrote, "seems to be insensibly slipping away from the courts and hence from law and in substance, if not in form, to be coming more and more into the hands of administrative agencies."

'I never took the word of the police,' says an ex-D.A. 'I always did my own investigating.'

A number of law school professors and appellate court judges (especially Chief Justice Earl Warren, who had been an outstanding district attorney at the beginning of his political career in California, and Justice Felix Frankfurter, who had given 10 years of his life to the fight for Sacco and Vanzetti) looked at this system of criminal justice, and decided that it had to be changed. Statistically, what they saw was something like this:

Of every 100 persons picked up by the police on serious criminal charges:

- about 30 were released without charges ever having been brought;
- about 13 were released by administrative process after arraignment but before trial;
- about 50 were convicted on a plea of guilty;
- about 5 were convicted after trial;
- about 2 were acquitted after trial.

There is no good reason to believe that innocent people were being convicted in perceptible numbers, that the 50 who confessed had not in fact committed the crimes with which they were charged (or something very much like it). But the adversary system of Anglo-American tradition was being employed in only about seven percent of the cases; in the rest, the apparent efficiency of the police-prosecutor combination had substituted something much closer to an inquisitorial system. And the American people had never expressed any desire for this basic change in the most fundamental institution of government.

In its struggle to return control of criminal procedure from administrative to judicial hands, the Supreme Court has tried four main lines of approach. One was a flat failure, and probably nothing more than a carelessly written opinion, attempting to tighten restrictions on the policeman's right to arrest without a warrant. The Court overruled itself within two years.

The second approach, which now has status only as a gesture (though it may become more significant in the future), involved an effort to give the defense access to the prosecution's files. The case in which the new rules were announced, however, involved national security; and Congress the next year changed the Federal Rules of Criminal Procedure to make sure the Supreme Court would never try *that* again. There remains, however, a rule requiring the prosecution to make available to the defense any evidence *favorable* to the defendant—"very hard to enforce," says Richard Green of the A.B.A. Project, "because the defense has no way of knowing about favorable evidence in the prosecution's files."

At least one committee appointed to revise the Federal Rules has toyed with the notion of giving the defense substantial rights to "discover" the prosecution's case; and in New Jersey, where the state supreme court makes the rules for the trial courts, Chief Justice Joseph Weintraub has suggested that some way be found to open up cases before they reach trial. The "pretrial conferences" which these new rules would require, however, are hard to fit into an adversary system; like similar conferences in civil cases, they would almost certainly turn into private bargaining sessions. There is also more than a little danger in giving either side in a criminal case indiscriminate access to all the witnesses expected to testify for the other side.

The Court's third attempt—a success in form but probably not in substance—came in *Gideon v. Wainwright*, the 1963 decision which announced that convictions for serious crimes could not be sustained unless the defendant was represented by counsel or had deliberately and knowledgeably waived his right to the services of a lawyer. The real significance of the decision was not its explicit guarantee of representation at trial but its implied guarantee of representation in the crucial period between arrest and trial. "The time a defendant needs counsel most," a federal judge in Utah had noted in 1952, "is immediately after his arrest and until trial." The services of a lawyer in the administrative process of plea bargaining, moreover, does not change the essential nature of the process. Because the overwhelming majority of defendants are guilty—and because, at this stage, the defense lawyer has no way of discovering whether in fact the prosecution has enough admissible evidence to convict his client—this formal protection seems more likely to produce a reduction in the average sentence than to reverse the course of history.

Fourth, and most important, the Supreme Court and some of the state appellate courts have, in recent decisions, vastly widened their exclusionary rules, to bar from trials much evidence against defendants that would have been admissible before 1960. The reasoning offered to support these decisions rests, perhaps unsteadily, on the Bill of Rights of the Constitution.

The Fourth Amendment, for example, had been designed to protect citizens from indiscriminate search and seizure by government agents, which was among the most resented features of British colonial rule. What it guaranteed was the individual's right to sue and collect damages, as John Wilkes had done in London. In 1914, however, the Supreme Court gave the Amendment a new and different interpretation, proclaiming that it formed part of the rules of evidence in the federal courts. If the government was prohibited from making such searches, then it had to be prohibited from introducing the "fruits" it has seized—a weapon, say—in evidence against the victim. The ruling applied only to actions by agents of the Federal Government, because it had not yet occurred to anyone that the Fourteenth Amendment obliged the states to follow federal constitutional guarantees in their own criminal prosecutions. (Indeed, some very substantial constitutional guarantees, like indictment by grand jury and trial by jury, are not to be found in many state prosecutions.)

The rule against federal use of illegally seized evidence had a pretty discouraging history, because the states for the most part refused to make a similar interpretation of similar provisions in their own constitutions. The consequence was that federal officers either turned over their evidence to the states for use in state prosecutions—or, where state law was not involved, arranged for the local police to seize and then give the evidence to the federal authorities. This was known as the "silver platter" doctrine. In 1949, largely to eliminate the silver platter, the Supreme Court went a step further, and held in *Wolf v. Colorado* that it could, if it wished, apply its interpretation of the Fourth Amendment to the states—but it didn't wish. Most states said they didn't wish, either; and there the law stood when the police of Cleveland, Ohio, went after Miss Dollree Mapp.

Miss Mapp ran a boardinghouse, and the police believed that among her boarders was one who ran a gambling den on the premises. They knocked on the door; Miss Mapp called her lawyer, who told her not to let them in unless they had a search warrant; she told them to go away; they did. Three hours later they returned, seven of them, and broke down the door. She demanded their search warrant, and one of the officers gave her a piece of paper which was not, in fact, a search warrant; she

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stuffed the piece of paper down her bosom; and the officer reached in and took it back. The police found no gambler and no gambling equipment, but they did find a trunk full of pornography, which Miss Mapp claimed was the property of a previous boarder. She was convicted anyway, on a charge of possessing obscene material. She appealed, claiming violation of her constitutional rights. The supreme court of Ohio found no serious fault with the Cleveland police.

Miss Mapp's lawyer apparently did not know much more about these matters than she did—his argument before the U.S. Supreme Court was devoid of suggestion that the Court might have to overrule *Wolf v. Colorado*. But this notion did occur to the Court. After *Mapp v. Ohio*, in 1961, state police were informed that they, too, could use the physical evidence they had seized only if their search for it had been justified by a warrant which specified this piece of evidence, or if the person whose premises were searched had consented, or if the search was incidental to a valid arrest. The rule is strict: The police cannot use their discovery of the evidence as justification for the arrest—if they didn't *know* the man was carrying policy slips or a concealed weapon or an envelope of heroin before they searched him, the fact that their guess was right cannot be used to make the arrest valid or the search legitimate. How far the rule carried was demonstrated two years after *Mapp*, when the Supreme Court overturned the conviction of a man arrested after the police broke down the door to his hotel room because they had smelled in the hall the opium he was smoking.

But the Court was even more deeply troubled by the use in criminal trials of another kind of evidence: the confession resulting from police interrogation of a suspect. A privilege against self-incrimination in court is not worth much if the prosecutor can introduce confessions made outside of court.

There is, of course, a long tradition of excluding such evidence, refusing to let the prosecution use a confession, if the document for one reason or another looks doubtful. In the 19th century the slightest hint of pressure on the accused was enough to eliminate the confession as untrustworthy—for example: "I dare say you had a hand in it; you may as well tell me all about it"; or "You had better tell all about it; it will save you trouble"; or "You had better tell the truth." In one case toward the end of the century, the U.S. Supreme Court even ruled that confessions could never be admissible in federal trials. This opinion was treated almost immediately thereafter as though it had never been written—until today's Court resuscitated the case as background to its opinions on interrogation in the 1960's.

From 1900 to the early 1930's the reports of the Supreme Court are almost entirely barren of confession cases. Except for prohibition cases, federal crimes were few and fundamentally uninteresting; the Court refused to hear appeals from state criminal decisions, and nobody had even imagined what is now standard operating procedure—the petition for *habeas corpus* brought in a federal district court on the grounds that the state courts have behaved so badly that they have forfeited their jurisdiction over the prisoner. The turning point came with the publication in 1931 of the Wickersham Commission *Report on Lawlessness in Law Enforcement*, which found widespread "use of physical brutality, or other forms of cruelty to obtain involuntary confessions or admissions." This report, shockingly, was the most recent hard information available until the new report of the President's Commission; the Chief Justice relied on it just last June.

In 1936, for the first time, the Supreme Court overturned a state conviction because of a coerced confession. The admitted facts were that a bunch of white Mississippians had beaten three Negro suspects with a steel-studded belt until they confessed to murdering a white man. (The supreme court of Mississippi approved the use of the confessions at the trial because the defense lawyer, while objecting to them, had not formally moved to exclude them.) In a Texas case, the State conceded that its Rangers had taken a Negro prisoner from jail and out to the deserted countryside at night, to ask him questions; and the supreme court of Texas had found no intimidation. A rape-murder in Indiana in 1947 led to five nights of questioning until three in the morning, two days in solitary confinement in a cell called "the hole," little sleep, not enough to eat and no chance to speak to anyone except the six or eight police officers who badgered the suspect in relays until he confessed. Throwing out the confession and the conviction in this case, Justice Frankfurter wrote, "There comes a point where this Court should not be ignorant as judges of what we know as men."

'Criminal justice is not a game. There is no social interest in preventing suspects from telling the truth.'

Since 1949 the Supreme Court has had no cases where confession was associated with physically brutal treatment—either because the police mended their manners or because the state appellate courts no longer passed such horror stories up the chain of command. Still, the confession cases came, and they were raw enough: California police announced in the hearing of a suspect that since he wasn't talking they'd just have to arrest his sick wife; New York police sent an old buddy, now a cop, to tell the prisoner that he'd be fired if his pal didn't confess; Illinois police told a lady that if she didn't confess, and was convicted anyway, the court would take her children from her.

By 1957 the Court had established rules to govern interrogation for use in federal proceedings. Relying on the Federal Rules of Criminal Procedure rather than on any constitutional guarantee, the Court ruled, first in a bootlegging case and then in a rape case, that no confession could be admitted if it was the product of questioning that occurred during a period of "unnecessary delay" between arrest and arraignment before a magistrate. In the second of these cases, the "unnecessary delay" had been only two hours; and because the crime was a rape in a dark cellar, conviction was impossible without the confession. (Normally these "reversals" of conviction do not mean that the defendant goes free; the State can try him again, omitting the evidence that tainted the first trial, and in a good majority of cases a new conviction is obtained.)

But there was no federal rule which the Supreme Court could apply against state convictions under similar circumstances. Year after year the Court denied the vast majority of petitions for review of cases tried in state courts, and when it did set aside convictions in such cases, it did so on narrowly specific grounds—because the defendant was a juvenile, or was illiterate, or had been denied the right to let his wife know he'd been picked up. And then in 1964 there arrived on the Court's docket the case of *Escobedo v. Illinois*.

Danny Escobedo was a Mexican-American who was serving a 20-year sentence as an accomplice in the murder of his brother-in-law. With his siste and two friends, Escobedo had been picked u questioned and released. He had consulted a law yer who advised him not to say anything at all t the police. When he was picked up again, his law yer came to the police station and asked to se him. The police refused. Presently, Escobedo wa confronted with one of the friends, who had cor fessed to being an accomplice but claimed tha Escobedo had actually fired the shot. The tra closed: Escobedo denounced his friend as the ac tual murderer, thereby admitting that he himse had been an accomplice. Justice Arthur J. Golc berg, who wrote the opinion of the 5-4 majority made much of the fact that Escobedo, not ad vised by a lawyer, did not know that under Illinoi law the man who pulled the trigger and his partne were equally guilty of murder.

As a matter of law, all that Justice Goldber actually said was that a conviction could not stan if the evidence presented to the jury included confession given by a defendant who had bee questioned without a warning of his right to re main silent, and who had been denied his reques for the help of his lawyer. But while the Court ha always before included in its reversals of such cor victions some recognition of the legitimacy of confession if freely given, Justice Goldberg's opin ion argued that, "A system of criminal law en forcement which comes to depend on the 'con fession' will, in the long run, be less reliable an more subject to abuses than a system which de pends on extrinsic evidence independently se cured through skillful investigation."

Escobedo raised hopes at the American Civ Liberties Union and fears in police department and prosecutors' offices all across the countr that the Supreme Court was about to forbid th use of confessions entirely. But because the Golc berg ruling was so strong as a statement of opinio and so weak as a statement of law, nobody ha any clear notion of what *Escobedo* really meant—c what the cops really could and couldn't do. Cor troversies over what the ruling did mean, c should mean, divided the bar and produced spate of private correspondence written for pub lication. Much of the argument concerned "Model Pre-Arraignment Code" which the Amer ican Law Institute had begun to develop a yea before *Escobedo* was decided. This project involve the services of four "Reporters"—all law-schoo professors—plus an immensely distinguished "Ad visory Committee" of forty.

The resulting draft code, published 18 month after *Escobedo*, followed the letter of Goldberg opinion in requiring that anyone who had retaine a lawyer was entitled to have the lawyer preser while he was being questioned. But it did not in sist that the police supply suspects with lawyers and it provided for four hours of questioning a the station house (tape-recorded and preferabl photographed) without legal representation—un less demanded by the suspect—prior to arraign ment before a magistrate. All four Reporters re garded themselves as liberals; and in fact the proposed Code was much stricter than the actua practice in any state at that time. But a numbe of libertarians, led by Circuit Judge David L Bazelon of the District of Columbia, thought an said that the Reporters were scoundrels for the reliance on the letter rather than the spirit of *Es cobedo*. Bazelon was particularly upset at the fai ure to require the police to supply counsel to thos who did not come so equipped: "We have to mak up our minds," he said, shaking his fine gray hea sadly, "whether or not in this society we want t trade on ignorance."

One obvious reply is that the rules are laid dow to protect the innocent, not to provide the guilt with a better chance of escaping. The fact tha Jimmy Hoffa has lawyers who can keep him out o jail indefinitely after his conviction on crimina

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charges does not mean that the State must provide every criminal with a lawyer who can keep him out of jail indefinitely. As the A.L.I. Reporters wrote, "Criminal justice is not a sport or a game, and notions of fairness derived from the moral structure of games . . . are by no means persuasive. . . . There is no social interest in preventing suspects from telling the truth."

Nicholas deB. Katzenbach, then Attorney General, regarded the idea of supplying all suspects with lawyers as preposterous. "There's only one bit of advice a lawyer who doesn't know his client can possibly give in the station house—keep quiet," he said privately. "There's no need to set up some fancy system of lawyers to give everybody advice—just prohibit questioning." An Illinois judge observed sardonically after *Escobedo* that any convict whose lawyer had told him to talk to the police could probably get his conviction reversed on the grounds that he'd had incompetent counsel.

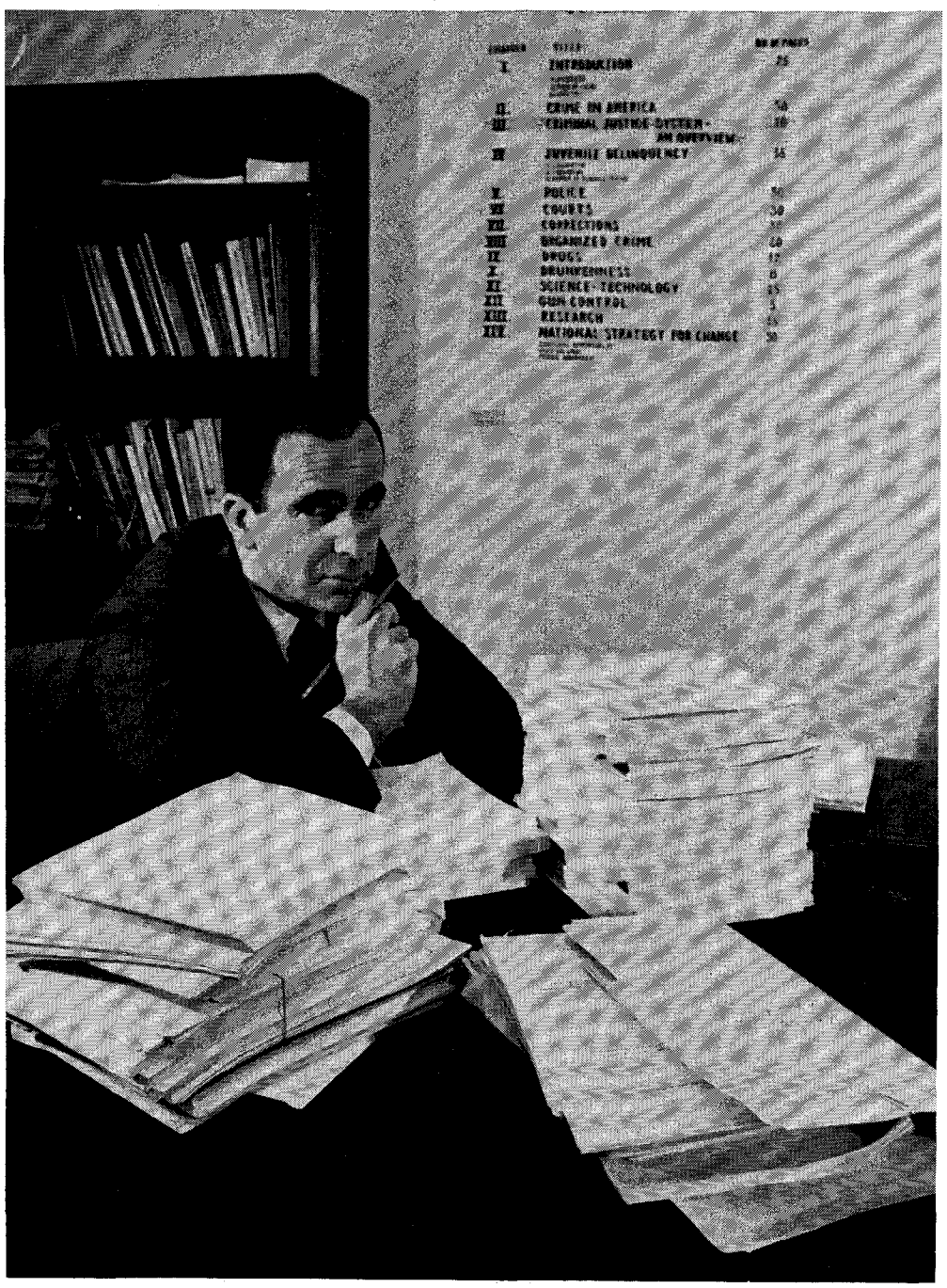
The discussion grew nasty: Those who feared the extension of *Escobedo*, wrote Pennsylvania professor Anthony G. Amsterdam, were "the comfortable middle and upper classes . . . who imagine themselves always as potential victims of crime, never as potential victims of a police investigation."

Paul Bator, a slim young Harvard professor who was one of the A.L.I. Reporters, dismissed much of the argument for stricter control by the courts with the comment, "Most of these people don't believe the enforcement of the criminal law serves a social value."

And both, of course, were right.

Because Justice Goldberg had tied his decision so closely to the specifics of *Escobedo*, the Supreme Court would obviously have to speak again. In June, 1966, Chief Justice Earl Warren used the case of a confessed kidnapper and rapist to drop the second shoe. Overturning Arizona's conviction of Ernesto Miranda (again by a 5–4 majority), Warren affirmed *Escobedo*, but he specifically added that, "Confessions remain a proper element in law enforcement."

Much of the opinion was given over to the Chief Justice's own proposed code of prearraignment procedure, though he invited the Congress and the state legislatures to make their own codes—"Our decision," he wrote, "in no way creates a constitutional straitjacket." He also announced a willingness to approve any procedures "at least as effective" as his sketched code in safeguarding a defendant's Fifth Amendment privilege against self-incrimination. Warren's code itself informed police departments that if they wished to use confessions (or information gathered from interrogation, "the fruit of the poisonous tree"), they would have to tell a prisoner that he was not obliged to answer questions, that he had the right to have a lawyer with him during interrogation and that a lawyer would be supplied him if he wished.



James Vorenberg, director of the National Crime Commission, contemplates the task of putting together the bulky report that his group has prepared for the President.

What the *Miranda* decision means to law enforcement will be worked out over the years, in legislatures and in the Supreme Court. Its future is unpredictable both because of its inherent ambiguities and because the four dissenting justices (two of whom are the youngest of the nine) are clearly prepared to overturn the opinion if anyone of their persuasion should be appointed to replace a retiring member of the five-man majority (which includes the three oldest justices).

Even for the immediate present, the impact of *Miranda* is uncertain. Anyone, of course, may waive his right to have a lawyer on hand during interrogation. Crime Commission director James Vorenberg commented, the day after the opinion came down, that *Miranda* "just moves the battleground from the voluntariness of the confession back to the voluntariness of the waiver." Such battles are fought out, of course, in local trial courts, not in the Supreme Court. "The police," Vorenberg said, "have done pretty well with these swearing contests over the years." Moreover, what evidence exists indicates that the police will often win the contests because they are telling the truth. Samuel Dash, former Philadelphia D.A., now running an Institute of Criminal Law at Georgetown University in Washington, reports that many prisoners reject a police offer of a lawyer: "Most human beings want to be part of the group; even for law violators, the policeman remains a symbol of society, and they want society to love them." They also sense, as the lawyers do not, that their last chance of beating the rap is by convincing the police or the prosecutor either that they didn't do it or that they have interesting information to swap in return for a favor.

To date, the experience in states that had established a *Miranda*-like rule before *Miranda* argues that no great changes will occur. The Detroit police report that the percentage of confessions by those arrested fell from 60 to 58, which is not statistically significant, in the first year after the accused were informed that they could have a lawyer at interrogations if they wanted one. Wilbur F. Littlefield of the Los Angeles Public Defender's Office says, "So far as I can see, *Dorado* (the California version of *Miranda*) has made no difference at all—they still cop out all the time. It happens infrequently that people ask to see an attorney. We wish it would happen more often. Last Friday at a quarter to five we did have a call from the forgery division—they had an arrestee who wanted an attorney. We sent a man over, who told him about the only thing a lawyer can, which was not to tell anybody anything."

By their nature, moreover, the exclusionary rules cover only those who are to be accused in court; the police are under no obligation to provide lawyers for people they do not intend to charge. A chunk of the *Miranda* opinion was devoted to a memorandum from the Solicitor General detailing the arrest practices of the FBI, to demonstrate that interrogation without counsel is not necessary. But in fact the FBI questions people without lawyers all the time—because the aim of the questioning is to get information about those higher up, and any lawyer the prospective witness might bring would, in fact, be in the pay of those higher up.

Ultimately, all that really matters is the effectiveness of an exclusionary rule in changing administrative behavior. The history of police activities after *Mapp v. Ohio* argues that society is highly resilient, but selectively so, in refusing to change its behavior on orders from appellate courts. Because it ruled that search warrants must specify the evidence sought, *Mapp* interfered violently with police procedure in three areas: gambling, carrying concealed weapons, and narcotics. In all three, conclusive evidence can usually be got only by seizing people and searching them, or by breaking down doors to catch people before they can dispose of the incriminating material. Immediately after *Mapp*, a New York judge commented, "The Supreme Court has legalized narcotics traffic."

On gambling, society was prepared to go along with the Court; nobody was really much interested in convicting gamblers. On concealed weapons, the relevance of criminal prosecution had always been a little dubious; the important thing, after all, was to get rid of the guns. Either through new legislation (as in New York) or through administrative findings (as in Chicago), the police were empowered to stop anybody anywhere on the streets and frisk him—and when they found a weapon they simply took it away. In 1965, Chicago "burned" more than 6,000 handguns, most of them seized in just this manner. This is illegal behavior by the police—indeed, Chicago politely keeps the guns available for a month, in case the people from whom they were seized would like to go to court, to replevin their weaponry—but even the predominantly Negro community, which is most often

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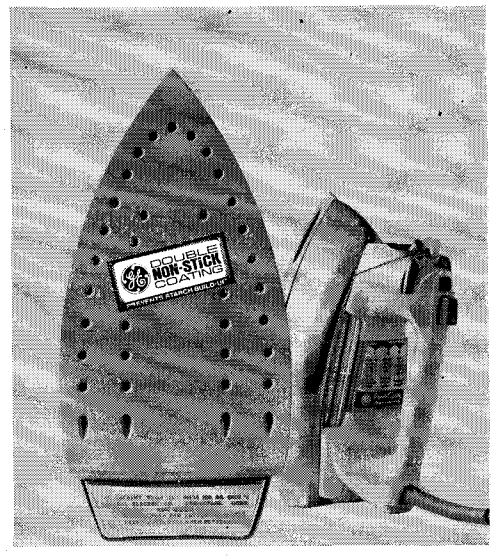

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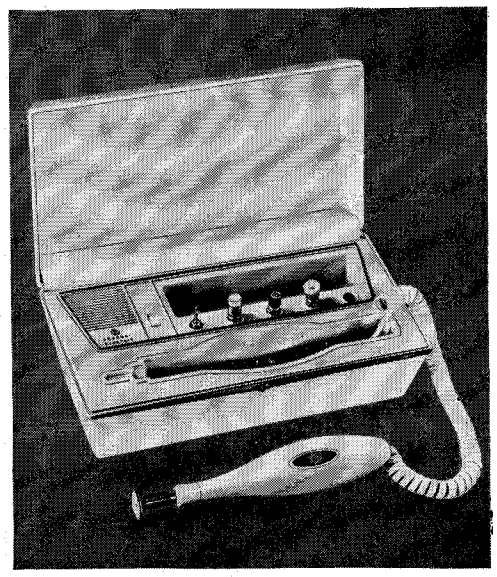

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subjected to the indignity of stop-and-frisk, has not protested.

The block against narcotics evidence obtained this way presented more difficult problems. For a while the police simply continued to win swearing contests. Prior to *Mapp*, narcotics users and pushers were almost universally convinced that if they weren't caught with the stuff on them they couldn't be convicted; when they spotted a plainclothesman approaching, they would throw the envelopes on the ground. In court, though, the policeman would merely testify that he had seen this defendant throw this envelope on the pavement; and the judge would convict. News of *Mapp* spread through the world of narcotics with astonishing speed. Pushers and users stopped throwing the stuff away, and for the first time the police found that they had to search—quite illegally—to get the evidence. Fortunately, the judges had been hearing for years about envelopes thrown on the pavement (and were not very sympathetic with the *Mapp* doctrine, anyway); so the police continued to tell the same old story, and the prosecutors continued to win the same old convictions.

This subterfuge could not remain credible indefinitely, however, and it did not help at all in cases where the police wanted to get inside apartments and homes. Few judges were willing to accept a policeman's statement that the defendant had let him in voluntarily, or that, really, "these places are built so rickety the door just came loose in my hand." Therefore, in California and New York, two of the states worst hit by narcotics addiction and the crimes it causes (60 percent of all New York Legal Aid criminal cases involve addicts), the legislature made addiction a kind of insanity, which required compulsory "hospitalization" for periods of up to three years. In civil proceedings of this sort, which are supposed to be for the addict's or the lunatic's own good, evidentiary rules like those of *Mapp* do not necessarily apply—and the police can proceed, usually, in whatever manner seems best to them.

Mapp has, however, made a major change in the way lawyers handle criminal defenses. "When we tried our first criminal cases, eight or nine years ago," says Boston's Monroe Inker, "and we made motions for a bill of particulars, motions to exclude evidence, we were regarded as very intellectual. Now, everybody does it."

Two law school professors who have been visiting police stations and courts in the Midwest have found nothing admirable about the usual hearing on a motion to suppress evidence: "Defense counsel often present the motion to suppress orally and without articulating any specific ground upon which it should be granted. The police officer is immediately sworn and cross-examined by defense counsel, who, even without preparation, is in many cases able to cast doubt upon the propriety of police conduct. . . . The prosecutor is likely to be frantically examining the officer's written report of the case for the purpose of getting clear in his own mind the circumstances leading up to the arrest and search." The trial judge never gets it clear in his mind. Most often, if he believes the defendant is guilty, he admits the evidence—and the appellate courts do not have the manpower or, in most cases, the inclination, to control the rulings of large numbers of trial judges.

The exclusionary rule, in short, is neither a very intelligent nor a very effective way to control the police. As Thurman Arnold wrote a generation ago, "A moment's reflection would indicate that the temper of the police commissioner is of much more significance on governmental interference with rights of respectable citizens than appellate-court utterances." Five years after *Mapp* "barred" illegal searches and seizures, a federal circuit court found it necessary to order an injunction issued against the police of Baltimore, Md., after the illegal search of some 300 Negro homes by officers looking for the murderers of a policeman.

To everybody but Americans, the use of the exclusionary rule to protect the criminal is "very odd," as the Australian criminologist Norval Morris puts it. In his country, and in England, when clearly reliable evidence has been improperly obtained, "the evidence is accepted and the policeman is punished. The whole meaning of the exclusionary rule is that Americans have not developed decent police administrative procedures." Certainly, the courts will never be able to prohibit questioning by the police. Interrogation, says Chicago Police Commissioner Orlando W. Wilson, who was an academic criminologist before he streamlined, motorized and computerized the Chicago force, "is the device mankind has used since it learned to talk, the device the courts use, and in many cases the only device there is."

A certain irreducible idiocy underlies the argument of some civil libertarians that a cop who finds a man driving a stolen car does not have the right to ask the man how he acquired the car.

"Kidnapping raises the issue . . . poignantly," Circuit Judge Henry J. Friendly of New York said in a speech in California in 1965. "If such a tragedy were to strike at the family of a writer who is enthused about extending the assistance-of-counsel clause to the station house, would he really believe that the fundamental liberties of the suspect demanded the summoning of a lawyer, or at least a clear warning as to the right immediately to consult one, before the police began questioning in an effort to retrieve his child?" Whatever the courts may say, Judge Friendly added, "society will not long endure" any system that forbids such questioning.

The complete exclusion of confessions (and of their "fruits") from criminal jurisprudence would carry two dangers that are seldom mentioned in the press. One, detailed by the A.L.I. Reporters, is the risk of "pressure to deal with the situation by enormously widening and intensifying general surveillance, with all the hidden costs to the quality of life that may be entailed." Another is a possible lowering of the standard of proof that prosecutors require before taking a case to trial—and of the standard required by a jury for conviction. Repeated and widespread exclusion also, ironically, seems sure to bring about an increase in the conviction of the innocent. At least one convicted defendant has already appealed to a federal circuit court to order the introduction of the prosecution's wiretap evidence, never offered at trial (of course), claiming that it would help his case.

Defenders of exclusion can (and, oddly, do) demonstrate that it hasn't made much difference in the results—that, for example, the conviction rate of those arraigned before the California supreme court adopted a *Mapp* type rule in 1955 was about 86 percent, and remained at that figure while the number of defendants more than doubled in the next six years. The Chief Justice argues the absence of a need for confessions in a footnote to *Miranda* pointing out that three of the four defendants whose cases were considered in the opinion "were identified by eyewitnesses." (Elsewhere in the same opinion, however, he cites Borchard's *Convicting the Innocent* and Frank and Frank's *Not Guilty* as sources for concern that the criminal process is sending innocent people to prison—and nearly every case in both books involved faulty eyewitness identification.)

"You shouldn't have."

At a time of rising national concern about crime, of fear in the streets of the cities, there is also a great danger in setting up standards that impede the legitimate functioning of the police. No court decisions will have any effect at all on police behavior if the public decides that its protection against crime lies in the police rather than in the law. The overwhelming vote against New York's Civilian Review Board—which was heavily opposed even in some of the Negro and Puerto Rican neighborhoods which were supposed to look upon the Board as their ally—indicates that this catastrophic attitude may already be winning many supporters.

It is also worth remembering that the adversary system of justice is something less than the noblest creation of man's intelligence. Guilty pleas, which are the important confessions, are not an excrescence on the system: they are a gesture of acceptance of law, and are by no means to be discouraged. Perhaps the oddest argument offered by the supporters of exclusion is the notion that a guilty man whose lawyer can get him out of it thereby acquires a new respect for the law. Surely the gangsters whose mouthpieces keep them free in their penthouses testify strongly to an exactly opposite conclusion.

A well-staffed police force and a conscientious D.A.'s office (especially if it is watched by a professional defender's office and insulated from newspaper pressure) will do a more accurate job of determining guilt or innocence than can be done in any courtroom. Trial in a modern society is not, cannot and probably should not be much more than a last check, by a random collection of citizens on a jury, to make sure nothing has gone wrong with the machine.

What the Supreme Court decisions have accomplished is to point up the need for greater professionalism in both the police department and the prosecutor's office, and for some sort of inspectorate similar to the Swedish Ombudsman—a public official fully empowered to investigate citizen complaints and to insist on punishing public servants who have treated people unfairly. Then the courts will be able to retire gracefully from the awkward and fundamentally self-defeating business of excluding good evidence. As the President's Commission has just told the President, first-class administration of criminal justice will cost much more money than the nation now spends for this purpose. Nevertheless, if the Supreme Court has shaken up the situation enough to persuade the public to pay the bills for a more civilized approach to crime and conviction, even those who are now most darkly critical of its recent decisions will be glad that the Court intervened. □

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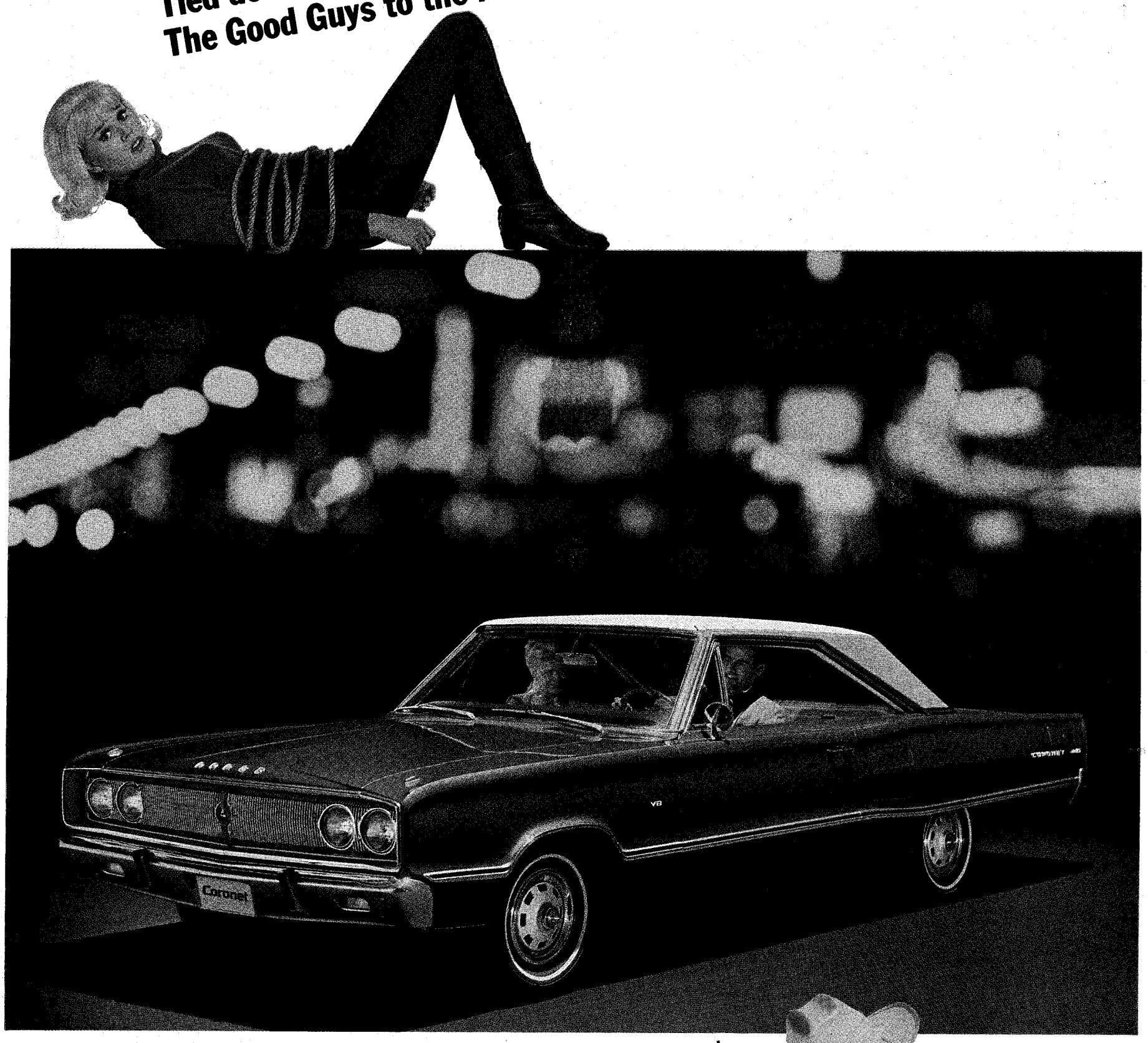

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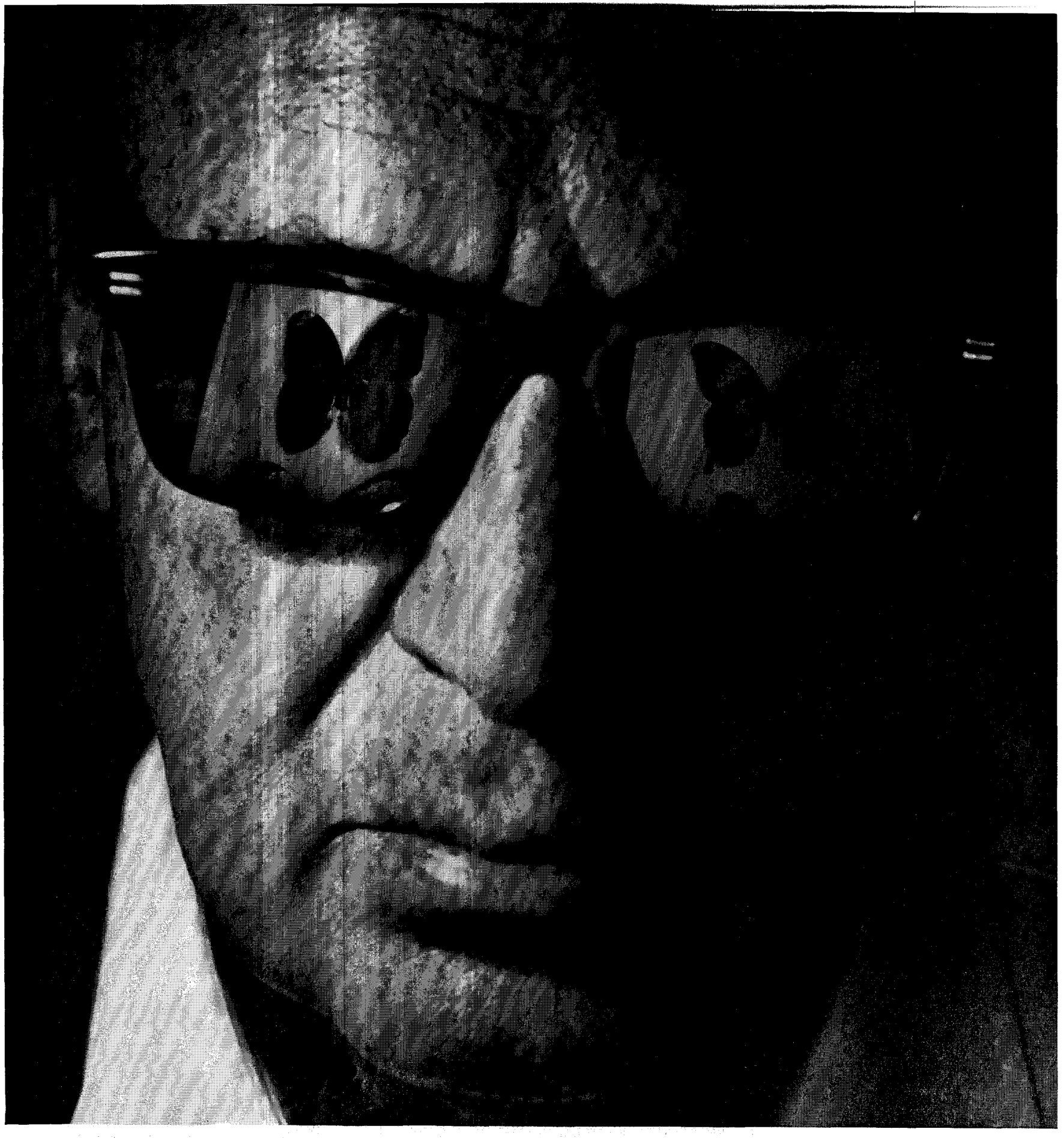

The artist in pursuit of butterflies

An unusual visit with the unusual Vladimir Nabokov, novelist, scientist, comic and explorer into 'that secret depth of the soul.'

By Herbert Gold / *Photographs by Philippe Halsman*

On the shore of Lake Geneva at Montreux, in an immense aging luxury hotel out of another time—all cuckoo-clock carved wood and space and silent, gliding service—lives Vladimir Nabokov, a 68-year-old man with a booming laugh, who loves his wife, his son, and the interior landscape of his own mind. He enjoys good wines, good food, good company, but goes to bed early, since he rises at 6 A.M. He has a passion for butterflies and spends long periods chasing up hill and down dale with net and wife. In fact, he is a distinguished lepidopterist, but he is famous for another vocation.

More than a decade ago this reclusive White Russian *émigré*, who was then teaching literature at Cornell University, listened carefully to the speech of children on school buses, explored the spaces of America during vacation butterfly-collecting trips, marveled over the social

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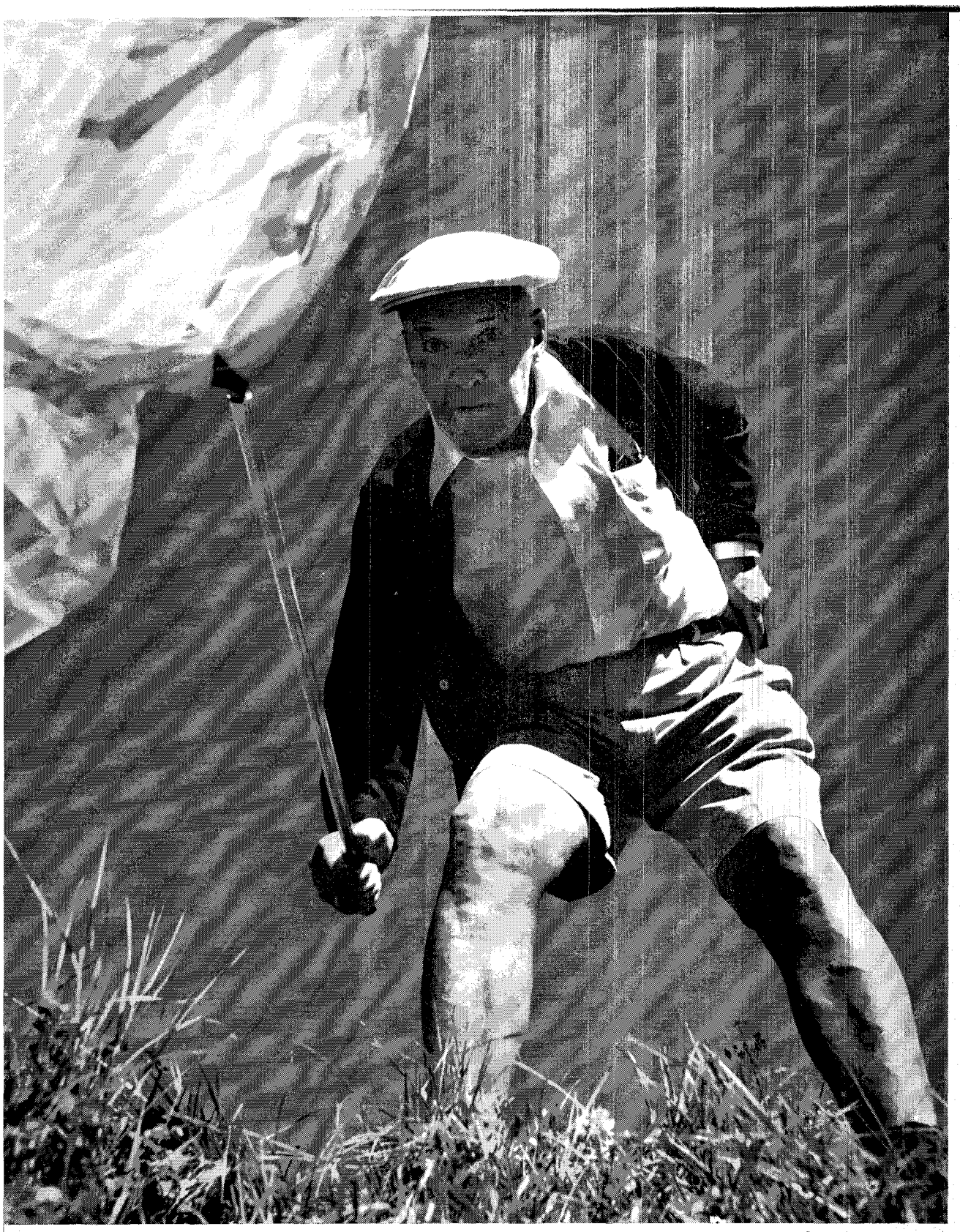

A butterfly's view of the lepidopterist in pursuit. Nabokov has caught and named several previously unknown species.

complexities of the motel and composed an odyssey of the doomed love of the middle-aged Humbert Humbert for the adolescent Lolita Haze. Rejected by several American publishers, he finally sent the manuscript off to Paris, where it was published in 1955 by the Olympia Press. Admirers began importing the book, but American editors remained skittish. "I love it," said one of them. "It's a great book. Nabokov is a great writer. But I can't print it—you think I'm crazy?" Nevertheless, *Lolita* was finally published in the United States in 1958, and despite a few hostile reviews, the book earned an immense critical and popular success. And for good reasons. *Lolita* is a definitive guide to American roadside culture, and also a picture of the evolving teen-ager, and a metaphor for the eternal quest for innocence, and a case history of abnormal psychology, and an exercise of comic style and picaresque form and many other things besides—in short, a totally original work with the rough, undefined edges and mysteries of a masterpiece.

Through the curious fate of his darling "nymphet," who became both a household word and a movie, her author sustained an odd transmogrification. At last he is given his due as an authentic living master of the novel form, a great man of letters and also namer of the meat patties served at a San Francisco drive-in—"lolitaburgers." He has made his mark at many levels.

Lolita aside, Vladimir Nabokov is a unique and remarkable party. He is presently supervising the translation of his early novels from Russian into English. He is planning the publication of his collected papers in lepidopterology. His particular specialty is the classification of butterflies; he has written 20 important articles; he still makes field trips; he has discovered and named several new species. As a man of many cultures, he has written eloquently about the problems of translation, and taken upon himself such duties as translation of the great Russian poet Pushkin into English and *Alice in Wonderland* into Russian. He moves from the creation of an immense zoo of jealous, nostalgic, obsessed, maddened wanderers and sticks-in-the-mud—in several collections of stories and poems, in some 13 novels, in plays, in biographies, in his autobiography and his revision of his autobiography—toward the gradual revelation of an absolutely unique, perhaps both frightening and touching personality.

Does Vladimir Nabokov live, like others, in a world he never made? No, having suffered greater troubles than most, he has no pity for himself. He lives in a world he is continually remaking. "I travel through life in a space helmet," he says, roaring with laughter.

I was thinking to myself, Here I am in Europe—now what? I had arrived by ship, plane, train and taxi on a hot day of Indian Summer. I checked in at that grand relic, the Montreux Palace, where Mrs. Nabokov had made a reservation for me, and decided to cool off in the pool before making contact with my friends. I was thinking, in the sight of these mountains and this lake where so many aristocratic Russians had taken the waters and the airs, of the irony of the cosmopolitan Nabokov finally bringing his intelligence, his humor, his nostalgia, his defiance, his art and his self to this traditional spa. While leaving 35 boxes of goods with Dean's Storage in Ithaca, N.Y. While leaving his childhood in Russia, his adolescence and early youth in Berlin and Paris, his young manhood in Cambridge (England and Massachusetts) and his fruitful middle years in Ithaca. And yet he knows who he is. The poet is a man with a child's needs and judgments. For Nabokov to remain a live poet, squalling and brawling, there had to be irony in his system. And steel. And Vera Nabokov watching over him.

I slumped into a beach chair for a bit of friendly, cross-cultural study of the French, German and Swiss poolside mini-flirts, and suddenly there were Vera and Vladimir Nabokov, bared to the sun, in lively conversation with some friends. Nabokov caught sight of me, seemed puzzled for a moment, and then burst into that deep, rich, Russian laughter. He accused me of dropping by parachute from the heavens. I was a secret agent. He had expected to meet a later train from Paris. There was jovial banter about the eight years passed since last we had met. How well I looked! How fit! How marvelously fit! But then the thoughtful Nabokov swerve: "You were a bit fattish, I think, last time."

One of our first occupations was for Nabokov to deny the truth of anecdotes which I had been telling about him since we had first known each other in 1958. For example, although he recalls his dislike of Pasternak's novel, he believes he never referred to it as "Doctor Van Cliburn." I did not check, for fear it might be denied, a conversation about a mutual friend. "Of course," said Nabokov, "he is a very nice fellow. Of course, do not lend him any money. Of course, he is completely untalented. Of course, he is a liar and a hypocrite. Of course, he is a pederast. Of course, isn't that good you know him, he's a *very nice fellow*." But of course that was 1958, and I am quoting from memory, and Nabokov distrusts everyone's memory except his own. "You would like another orange squash?" he asked now.

He claims among his ancestors the first caveman who painted a mammoth, a medieval Tartar prince, a long line of German barons, an obscure Crusader, a well-known composer, the first President of the Russian Imperial Academy of Medicine, a Minister of Justice. His father was a noted liberal statesman, jurist and writer. Reading legal commentaries by his father, published over 70 years ago, he finds an eloquent denunciation of "crimes against young and tender girls by older men." Curious, he says. Lolita, he remarks dreamily. He likes to feel he is continuing a tradition.

He smiles at the thought that he is an avant-garde writer whose first work was printed more than 50 years ago. It was a pamphlet of poems, and the place was St. Petersburg, and, in 1914, the poet was aged 15. His faraway childhood was rich in marvels. He learned English before he learned to read Russian. He also learned French. "I was a perfectly normal trilingual child," he says. He played chess, collected butterflies, loved soccer. After inheriting about two million dollars

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("a lot of money in those days") and promptly losing it all in the revolution (a perfectly ordinary thing in those days), he studied at Cambridge, England, and then wrote in Russian in Berlin and Paris. The confusion of languages and cultures continued. He received about five dollars for his translation of *Alice in Wonderland*. He precariously survived by teaching boxing, tennis, languages, and by making the first Russian crossword puzzles. He wrote plays, poetry, novels. He was a part-time journalist. In his autobiography, *Speak, Memory*, he mentions a poor disappeared Russian *émigré* talent, V. Sirin, who is the writer of the period between the two wars whom he found most touching. V. Sirin was the pen name of Vladimir Nabokov.

There was the melodramatic shock—so like events in his novels—of his father's murder. His father, a liberal, was killed at a meeting in Berlin by a fanatical Czarist who was aiming at someone else. Nabokov's father had thrown himself on one of the assassins when the other pumped bullets into him.

He fled the Nazis. He fled the Communists. He fled the embittered White Russian fanatics. He married, he had a son, he wandered the face of Europe on a sickly refugee passport. He scrambled a step ahead of pauperdom. A life of continual beginnings and new starts, exiles and comebacks, except that he has never, despite several official invitations, gone back to Russia.

Arriving in the United States as Europe sank into war, he took up an academic career at Wellesley, where he taught Russian; at Harvard, where he did research in lepidopterology; and at Cornell, where he lectured on literature. He was hard on both students and colleagues and took a special delight in tormenting deans and administrators. Because he disliked department heads in particular, plus departments in general, he was made his own private department, given his courses, and assigned a Chairman of Nabokov to take care of paper work. This was not so bad, he says with satisfaction. That's the way things ought to be.

He is now permanently an American, living in Switzerland on a merely temporary basis. He may dream of Russia, the spires and summer hazes of his childhood, but his heart is in Ithaca or Wyoming or Columbus or someplace. He admits that he is "not emotionally involved with Indian dances or pumpkin pie on a spiritual plane," but adds, "I am as American as April in Arizona."

Nabokov's main characteristic as a social person is a relaxed, detached affability. He likes jokes, particularly his own. He also can be impatient and sometimes brutal. A well-known writer tells of meeting Nabokov at a party and blurting out, "I love your book *Lolita*." Tall, twinkling, grave Nabokov gave him a cold eye and turned on his heel. Something in the tone had displeased him. He has said, "I don't fish, cook, dance, endorse books, sign declarations, eat oysters, get drunk, go to analysts, or take part in demonstrations. I'm a mild old gentleman. I'm very kind."

He telephoned mornings around nine o'clock, when his early writing was done, to make plans for our meetings that day—a swim, a walk, lunch, dinner. In the garden we talked about moths and butterflies. He is an expert on butterflies, not moths, he said, adding an observation—"Did you know that the hawk moth can fly two or three hundred miles an hour? This was discovered by an airplane pilot who found the moths outdistancing him. He thought he was perhaps standing still or flying backwards."

He is a severe judge of other writers. A few years ago the names of Dostoevski, Freud, Thomas Mann or Pasternak stimulated something like rage. They were interested in "ideas," "moral judgments," "doing good"; they were religious or they claimed to know something or they flattered the vulgar tastes of the half-

The assassin shot his father while aiming at someone else.

educated and the theory-bound. Now it seemed that his contempt for them was adulterated with a small portion of the milk of human kindness. But this did not indicate any softening of the polemical spirit. During our six days of conversation he expressed fury at mistranslation, "creative" translation, doctors, Bolsheviks, critics of America. He looked younger and stronger than in 1958. Though he mentions neuralgia, insomnia and various other ills, he looks like a powerful middle-aged man, and his years are carried with elephantine grace.

He is planning a book of studies of Joyce, Proust and other writers.

He has a novel well under way, secreting it on his index cards and letting it grow. The central section is finished, he says.

He is still working on butterflies. He supervises translations of his work. He attends to his business.

There is a folk proverb which states: Behind every successful man there stands a surprised woman. Well, this is not true of Mrs. Nabokov. She is a calm, serious and protective guardian of her husband's gifts; and not surprised. Clearly she has always believed utterly in his genius. She writes his letters, drives his car (he doesn't drive), criticizes his manuscripts, arranges his business matters and signs hotel registers for them both (he does not give autographs). There is one lifelong friend to whom he occasionally writes a postcard. He is relaxed and easy, knowing that the way has been cleared for him. Occasionally she censors his conversation or interrupts an off-color story, but her steady regard expresses unshakable approval of her husband.

Together they sometimes visit their 32-year-old son Dmitri, operatic bass and part-time racing driver, a tall, good-looking young man who has also translated some of his father's work from Russian into English. They keep a room for him in their set of suites at the Montreux Palace Hotel. They showed me an old passport photograph of Vera Nabokov with their child—an angelic little boy and a beautiful young woman with fine eyes and strong straight nose, traveling on French papers through the perils of Hitlerian Europe. Vera Nabokov does not like off-color jokes or jokes about Jews. She is Jewish, and one of the few social ills which seems to trouble this Russian aristocrat is racial or religious prejudice.

We stroll in the garden. Nabokov still recalls, with a lopsided grin, how he arrived at the scene of his father's murder just a few minutes after it happened. Smoke, confusion, horror. His father lay dead. An acquaintance with a flesh wound in the arm stopped him and wailed, "I was hurt too." This event, 45 years gone now, made him rumble and hesitate as we paced on the shores of Lake Geneva. He commented on the man who showed his minor wound to a boy seeing his dead father: "He was a good man, not insensitive, just excited."

And the murderer? He was later employed by

Vera Nabokov drives his car, answers his mail, criticizes his manuscripts—and sometimes censors his conversation.

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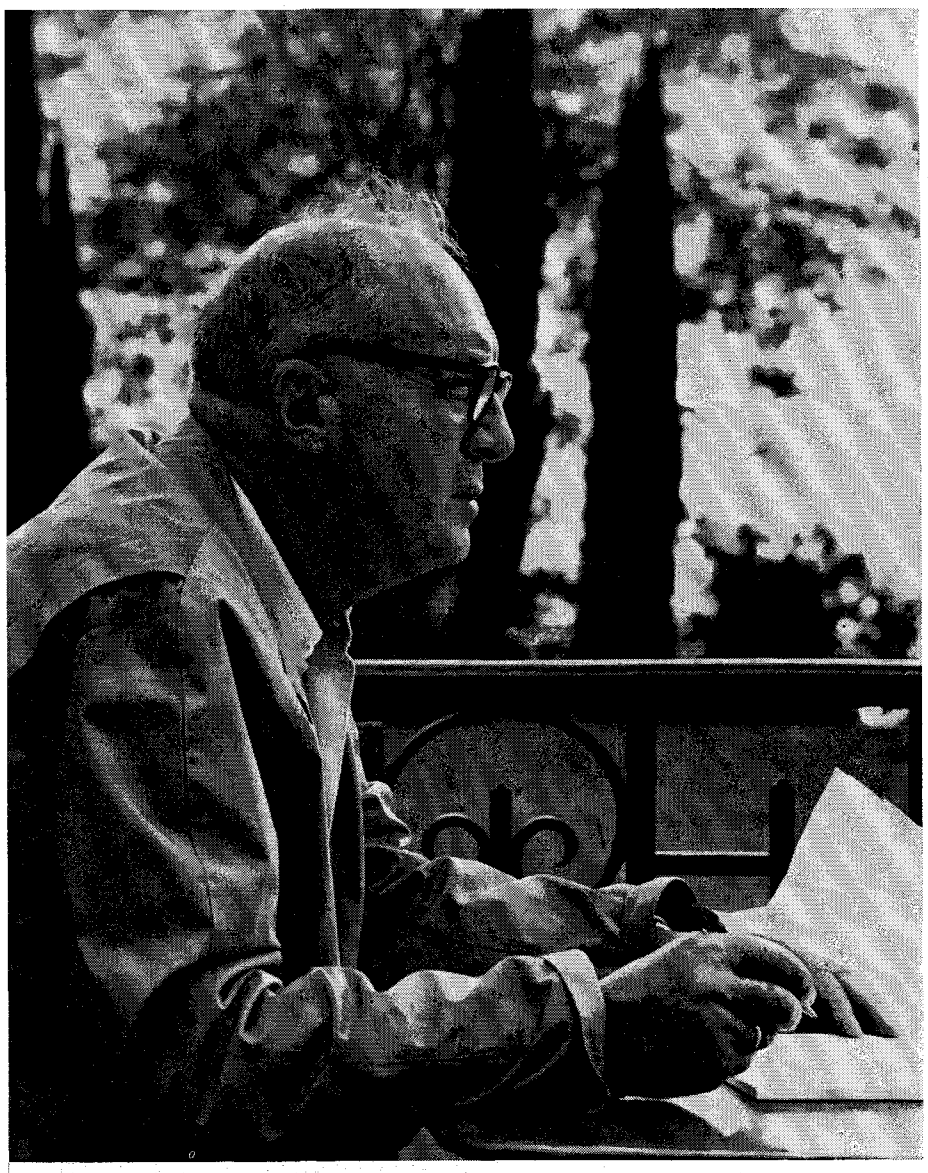

Nabokov is at work on his new novel. One section is called "The Texture of Time."

Only an 's,' he says, makes the difference between comic and cosmic.

the Nazis, put in charge of Russian *émigré* affairs.

One of Nabokov's brothers was killed by the Germans in a concentration camp. He died of "inanition." The word fascinated him—"inanition." He has written about this brother in the recent revision of *Speak, Memory*.

Nabokov's books are melodramatic, filled with fantasies of violence and torture. He has lived with both the fantasies and the realities. Now, as they have been assimilated to his ironic, paradoxical mind, he is at peace with the demons. He almost enjoys their company. He has made his treaty with trouble, his own and history's.

Nabokov suffered all the usual childhood diseases, including the desire to write. He wanted to organize the strangeness of the world by the standards of words and classifications, poetry and arrangements of butterflies. He wanted to live by these measures and stylizations. He still makes up his own truths and is bewildered by the reluctance of others to see as clearly as he does. Sometimes Nabokov seems to have the quality he ascribes to Gogol: that of thoroughly planning his works *after* he has written and published them. But this after-the-fact reasoning is just as stubborn as the more usual kind of development. And Nabokov does not bother to explain his work; he *knows*, and demands that the reader know.

Here is how he describes the growth of a story by Gogol: "Mumble, mumble, mumble, lyrical wave, mumble, lyrical wave, mumble, lyrical wave, mumble, fantastic climax, mumble, mumble, and back into the chaos from which they all derived." This is also the fantastic way Nabokov's stories accumulate onto his magically shuffled index cards. And as he says of Gogol, he aims toward an appeal "to that secret depth of the human soul where the shadows of other worlds pass like the shadows of nameless and soundless ships."

When *The Gift*, one of Nabokov's early Russian novels, appeared in English, I noticed that one "Michael Scammell" was named as the translator. Never having heard of Michael Scammell, and being familiar with Nabokov's earnest playfulness, I decided that this was another of the master's hoaxes. Examining the name "Scammell," I derived a near anagram, Le Masc, which becomes Le Masque, which becomes, clearly, the Mask for Nabokov. And so I wrote to accuse him of this ghostly behavior. My suspicions were confirmed by the sweet and evasive reply from Vera Nabokov: "My husband wishes to thank you for your recent very interesting communication. . . ."

Epilogue to this story: It turns out that there really is a translator named Michael Scammell, though the Nabokovs did not find it necessary to disappoint me in my little "discovery." This is an example of life turning into a Nabokov satire, Russian boxes within boxes, a phantom beckoning the pedantic friend into his hall of errors.

Each day we strolled in the dappled sunlight, avoiding the Swiss wet damp. He leaned forward with a scout's intensity to name and admire moths and butterflies. I noticed after a few days with him that I too saw butterflies everywhere. He destroyed thickheaded critics and fake scholars. He asked who else besides him supports the President's policy in Vietnam. I told him that quite a few people do, according to the polls. With smiling generosity he tipped the waiters who brought us beer, orange squash, ice cream.

He reported that one night he dreamed a scene which he then wrote down and promptly afterward saw on Swiss television. He is sure that this is not clairvoyance or telepathy or any variety of seeing into the future; rather, it is remembering the future. Time does not move forward, tock tock tock, like the hand of a clock, he said.

We went into the *Chambre de Débarras*, the Room of Disorder, to see some of his stored books and materials—a Turkish translation of *Lolita*, tennis rackets, mountain-climbing equipment, photographs and a little American flag tilted at a crazy angle above the washbasin. "You recognize that?" he asked. "I love America," he said, "a great country." He is opposed to racial discrimination, but otherwise, as he says, "I approve of everything." He describes the American government as one of his "Hobbies."

Now we spoke again about his conception of time, which is somewhat different from anyone else's. How to hold the instant without an object, without peopling it? He puzzles. The problems of Time contain the other great problems, Soul, Mortality, Art, the sense of life on earth. He has entitled a section of the novel he is writing, "The Texture of Time."

Pause. He interrupts this train of thought to comment with a pleasant, mildly suffering sigh that a German television crew is coming to *do* him. Shake of heavy, much-imposed-upon head. Another sigh. He wonders why I don't ask more questions. "Ask some questions," he orders.

Taking my assigned role of Nabokov character (journalist, impertinent young fellow, poking around), I asked him about the movie of *Lolita*. Answer: He is a friend of James Mason's, but never became a friend of Sue Lyon's. I decided to slip into the role of another Nabokov character (scholar, impertinent middle-aged fellow, poking around). We spoke of clairvoyance once more. Prophecy is the wit of the fool, he says. He makes the judgment with a certain fierceness. No doubt it is connected with his notion of simultaneity, of Nabokovian time and of the irrelevance of most human projects. Intelligence is much too important to bother with such trivial matters as predicting the future.

The controversy buzzing around Nabokov's ambiguously affable head has not been calmed, despite his fame. The novelist and critic Mary McCarthy called *Pale Fire*, his last novel written in English, one of the great works of the 20th century. But this strange tale of a New England scholar who may also be an exiled king, all cast in the form of a learned commentary on a long poem, represented yet another set of Russian boxes within boxes: A satire of a pastoral epic? A *real* pastoral epic? A parody of the pedant's habits? A parable about exile and isolation? The book was greeted by many of Nabokov's admirers with the sort of disarray which greeted James Joyce's *Finnegans Wake*. After we had grown accustomed to the elegant comic epic of *Lolita*, and the benign and touching bumbler Pnin, and the ironies and puns and the mad, pathetic, obsessed, nostalgic, and yet coherent monsters of so many other stories, what *was* this trickster genius doing in *Pale Fire*, what was this "crossword puzzle," as one flustered critic called it? Was he just putting everyone on, as some admirers insisted, or had he written, as others claimed, the ultimate novel?

And then there is his translation and commentary on the masterpiece of Russian poetry, Pushkin's *Eugene Onegin*. How is it possible that his old friend, Edmund Wilson, the dean of American criticism, can denounce him as a quirky and even incompetent translator? Surely their continuing bitter public controversy reads like a Nabokov novel—in fact, a little like *Pale Fire*. Who is who in this drama? After all, it is Nabokov who is a native Russian and Wilson who is mainly self-taught in the language. Can it be that Nabokov, who used to help Wilson with his grammar, has somehow lost his grip on his native language, and Wilson, the scholar from New England, can lecture him about the tenses of Russian verbs?... But again we are in the worlds of Kinbote and John Shade, the shadowy fantasts of *Pale Fire*, dreaming of "Zembla, a distant northern land," where truth is really truth and reality can be defined.

May I now attempt a partial summary of the character and gifts of this triumphantly lonely spirit? (*Forgive me, friend far away in Montreux,*

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if I sound like still another impertinent ghost from one of your novels.)

No, comes the answer, as sure as my real name is V. Sirin. Or rather, his answer would be: Irrelevant, foolish, like a German TV crew, like a moralist or a censor, like a true believer or a false believer.

Nevertheless . . .

Humor, an organized life and steady service by his brain help Nabokov to keep his mysteries, his reserve, his private turf. If he doesn't understand the meaning of human life—most men don't—he at least knows what sort of map he has to the unknown country, and keeps in good repair his equipment for exploration and his sense of the treasure to be sought. "I travel through life in a space helmet." He does not get too close to earth; he does not judge or interpret a world. Rather, he finds and makes his own world, and makes himself the compassionate, ironic, horrified master in this made-up universe. He is absolutely self-confident. After navigating odder and harder paths than those which normally lie before a man, he has now gotten straight with himself. He has no need to fear putting on the wrong mask. He always has the right mask for himself and for others. Embarrassment exists only in the past, though the past endures.

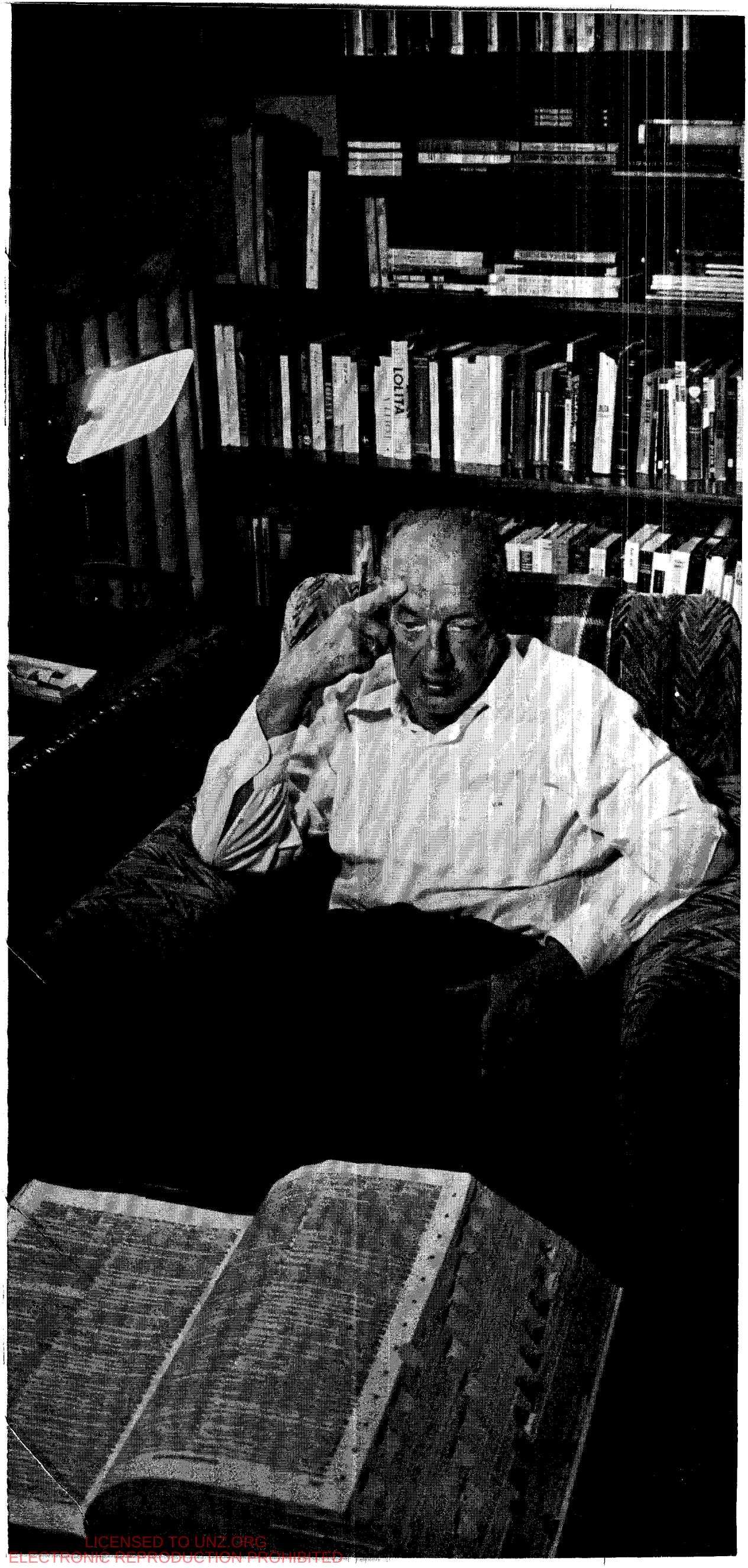
"I would like to say something about time. The past is gone, the future is not here yet, and the present is slipping away at every instant—what is Time?" The gravity in his face is rare; he is allowing a part of the iceberg of his real thought to come to the surface. Once more he begins to speak of a dream in which he remembered something that had not yet occurred; he does not call it prediction, but memory of the future. This is not a joke to him. He notes that the blank abyss on one side of our lives—death—seems to frighten us more than the equally blank emptiness on the other side, when the world was there without us and the baby carriage sat empty in the photograph of the pregnant mother.

Capable of immediate tenderness and warmth, Nabokov is deeply suspicious of the human possibility of goodness. Discussion of it quickly becomes, he intimates, "*poshlosty*." ("*Poshlust*" is a Russian word which he defines as "vile vulgarity.") He has no illusions. He has built his spaceship, and he travels through life protected by it, secure in the knowledge that when he walks out of it into space, he can walk back, and if he cannot, well, that was an amusing risk he was taking. Only an "s," as he says, makes the difference between "cosmic" and "comic."

Near the hour of good-byes we spoke about the future of this man who has lived in hotels or taken rented lodgings ever since the Russian revolution. He insists on his American character despite his grand exile, like a Russian aristocrat's, in Switzerland. He would like to live in Boston, New York or California. But his wife doesn't like the Boston weather, and the summers are very hot in New York, and California is very far away, though there are some good butterflies nearby. And their son is studying music again in Milan. And so, while waiting to find a permanent home, this odd genius camps out in a hotel in Montreux, with boxes stored in Ithaca, with relics spread all over the world, writing on his index cards, planning out his terrible plans, secreting his criticisms, polemics, poems, stories, novels, autobiography. To our great good fortune he both explains and conceals himself with great skill.

So let us not examine him or his life too closely; perhaps we should even avoid the flood of dissertations which will soon engulf his privacy. Just ride with the rhythm of his spirit. Let it glow.

As a farewell gift, Vera Nabokov gave me the bulletin of the Anti-Vivisection League. Certain passages were underlined. I am sure there was a reason for this, but I lost it on the plane from Geneva, Switzerland, to Cleveland, Ohio. □



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Editorial

Vietnam: A first step

When President Johnson feels stung by some particularly sharp denunciation of his military policies in Vietnam, he often likes to turn on his critics and demand to know what they would do if they had to assume the heavy responsibilities of the White House. Would they "cut and run"? Would they "abandon our boys"? Would they surrender to "Communist aggression"? Would they deny "America's commitment to freedom"?

The questions imply a kind of historic inevitability to whatever the President chooses to do next, and they are generally framed in a way that is calculated to permit no honorable answer except an endorsement of a war that seems to move, each groaning year, further from a settlement and nearer to a self-perpetuating and self-justifying military exercise. There is little sense to this philosophy of either/or, this easy equation of the disemboweling knives of the Viet Cong and the napalm of our bombers, this easy argument that any violence on one side justifies any counterviolence on the other.

Nor is it enough for the leader of the world's most powerful nation to wring his hands in a show of helplessness and say that he has no alternatives. The alternative to war is peace; the alternative to bombing civilian villages is to stop bombing civilian villages; the alternative to complaining that one has no choice is to investigate what the choices are.

A generation ago, some of our leading military strategists became fascinated with the mobile firepower of the airplane. They watched in wonder as Nazi planes dive-bombed French defenses, and, with just a polite nod toward the old-fashioned idea that some people are noncombatants, they evolved a theory that control of the air will decide who wins a war. Air power is decisive, according to the theory, because it destroys both the enemy's will to fight and his ability to fight.

Both aspects of the theory were intensively tested during World War II. The first test came in 1940, when Goering's *Luftwaffe* determined to break the spirit of the English by the blitz of London. Nobody who lived through those years will ever forget the scenes of St. Paul's Cathedral illuminated by fire, and the tireless wail of the air-raid sirens, and the total refusal of the English to give in to enemy bombers. The second major test came in 1943–45, when the Allied air forces determined to destroy the German war machine. "We did it . . ." said the Army Air Force's Gen. "Hap" Arnold, "aiming our explosives with the care and accuracy of a marksman firing a rifle at a bullseye." This "marksmanship" ultimately turned out to be somewhat mythical. According to a postwar Allied survey, the American and British air forces dropped close to three million tons of bombs, but scarcely 20 percent landed within close range of their targets. In those wartime circumstances, of course, the inaccuracy didn't matter so much since it was considered perfectly normal and acceptable to bomb enemy civilians (and, in fact, more than a million were killed or wounded in the raids). But although the bombing severely damaged Germany, the war, like all wars, finally had to be fought out on the ground.

Two conclusions seem obvious: First, that strategic bombing, far from breaking a people's spirit, tends to make them rally around their leaders; second, that strategic bombing is one of the clumsiest, messiest, bloodiest and least efficient ways of waging war. The third conclusion, which might better be argued by cavalry generals and battleship admirals, is that conventional military strategists never seem to learn the lessons of past conflicts. And so, two years ago, because we were losing a guerrilla war in South Vietnam, and because we were unwilling to commit ourselves to a long-term guerrilla war, and because certain generals believed that bombers today could achieve a relatively painless kind of victory that bombers never have achieved before, President Johnson seized an almost invisible pretext (a Viet Cong attack on an American outpost at Pleiku) to start the systematic raiding of North Vietnam.

We have avoided, to be sure, the final lesson of World War II bombing, the lesson of Hiroshima and Nagasaki—that if a nation shows itself willing and able to begin inexorably destroying everybody who lives in an enemy country, then the enemy may indeed surrender. Although some of Washington's more pugnacious officials have noisily advocated attacking the major cities of North Vietnam, and although North Vietnam's Ho Chi Minh has publicly accepted the possibility of such a blow, something has held us back from this ultimate massacre, either a fear of Chinese intervention, or, just possibly, a guilty feeling that Hiroshima was a tactic not to be repeated. Instead, we have bombed, for two years, what we like to call military targets—oil-storage plants, railroad junctions, highways and factories. Our generals have claimed a high degree of accuracy, just as "Hap" Arnold did in 1943, but then our official spokesmen sound inexplicably perturbed when a reporter like Harrison Salisbury of *The New York Times* corroborates the Communist charges that some of our bombs have landed on homes and schools and hospitals—and that damaged military installations havebeen repairedwithin a few days. And perhaps some of us wonder, as we regard the highways and factories near our own homes, how any target can be described as purely military. Or, as former President Eisenhower asked, "Is there anywhere on earth where there are not civilians?"

It is possible, of course, that strategic bombing might prove very effective against a highly developed industrial nation, but the primitive roads and factories of a nation like North Vietnam make a much less vulnerable target. Now, after two years of punitive bombing of North Vietnam, the balance sheet of the military promises, the actual results, and the subsequent military explanations, appears about as follows:

1) *Theory:* Bombing will prevent the North Vietnamese from infiltrating troops and supplies into the south. *Result:* Infiltration of troops has increased from about 2,000 a month to 7,000. *Explanation:* Without bombing, it would have been worse.

2) *Theory:* Bombing will hit only military targets. *Result:* Many civilians have been killed and injured. *Explanation:* Civilians inevitably get hurt.

3) *Theory:* Bombing will convince the North Vietnamese that they must negotiate for peace. *Result:* The North Vietnamese have refused any kind of negotiations until the bombing stops. *Explanation:* They wouldn't have negotiated anyway.

On all grounds, our policy of bombing North Vietnam seems the least effective and least defensible aspect of our war in Vietnam. Whatever commitment we may have to defend the south can scarcely be interpreted as a commitment to attack the north; whatever commitment President Johnson inherited from his predecessors was no commitment like this. The Administration almost admits as much when it offers, according to an official spokesman, "to order a cessation of all bombing of North Vietnam the moment we are assured, privately or otherwise, that this step would be answered promptly by a corresponding and appropriate de-escalation on the other side." But since the "other side" is not engaged in strategic bombing, what could it offer as "a corresponding and appropriate de-escalation"? A reduction of enemy forces? Could such a reduction ever be verified?

We ourselves have asked Secretary-General U Thant of the United Nations to take whatever steps he can to bring about a negotiated settlement, and U Thant almost immediately declared that the first step would be for the U.S. to stop bombing North Vietnam, not for a brief "pause," but permanently and unconditionally. Surely, the Administration would be well advised to consider his proposal with the utmost seriousness.

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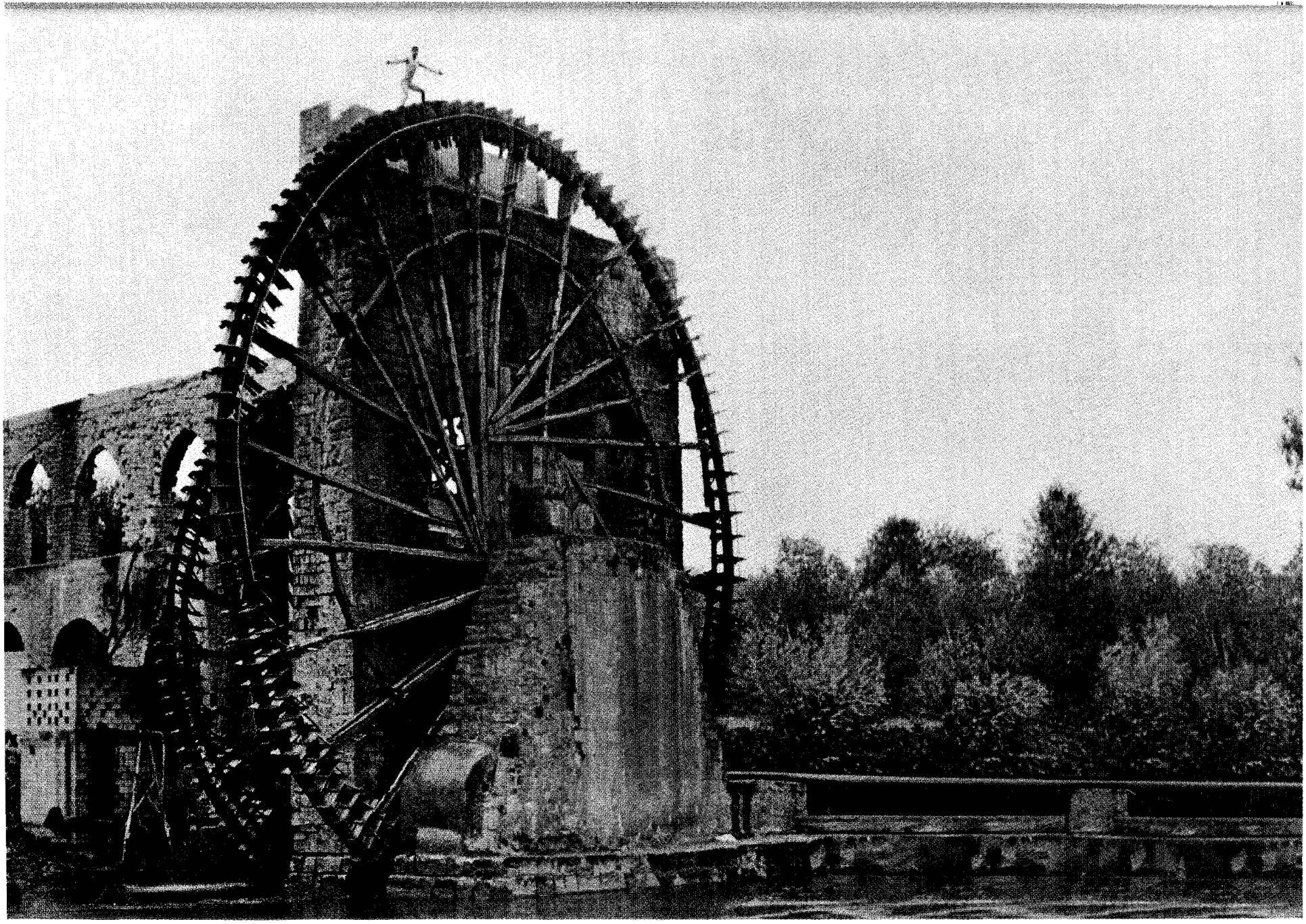

I had just climbed up the water wheel, when things took a turn for the worse.

1 **"You could hear it groaning** a half mile away," writes Bill Tracy, an American friend of Canadian Club. "Last summer, while touring the Near East, I came upon an ancient water wheel in Hama on the Orontes River. It reminded me of an old Ferris wheel back home, especially when I saw some local boys swinging around on it. I couldn't resist taking a ride.

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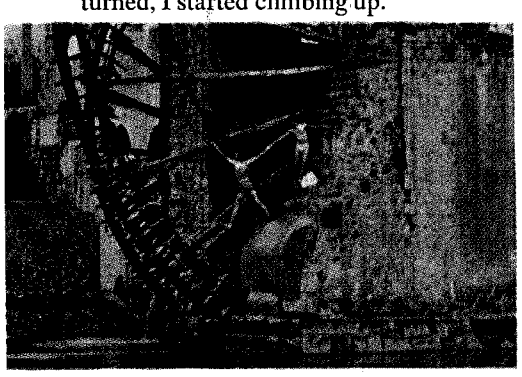
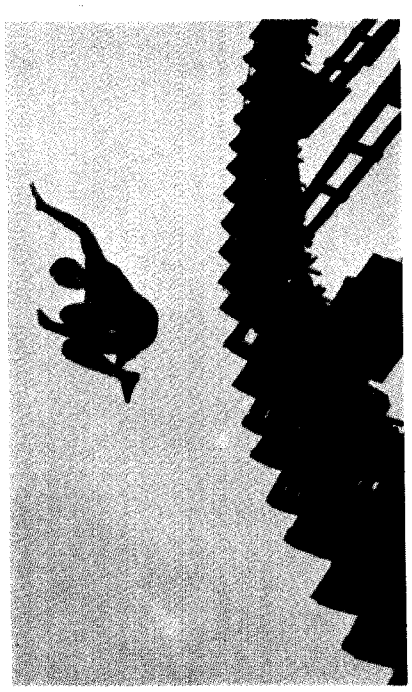
2 **"With the help of a friend,** I grabbed hold of one of the spokes and got on. The paddles stretched out before me like steps on a long staircase and, as the wheel turned, I started climbing up.





3 **"As I neared the top,** I stretched out my arms like a tightrope artist balancing himself. Suddenly, the wheel stopped! I found myself high atop a swaying wheel, in the middle of nowhere. I panicked—and jumped!

4 **"After drying off,** I went with my friend to a tavern for a relaxing game of backgammon and a drink of his favorite whisky and mine—Canadian Club." Why this whisky's universal popularity? It has the lightness of Scotch *and* the smooth satisfaction of Bourbon. No other whisky tastes quite like it. You can stay with it all evening long—in short ones before dinner, in tall ones after. Enjoy Canadian Club—the world's lightest whisky—tonight.

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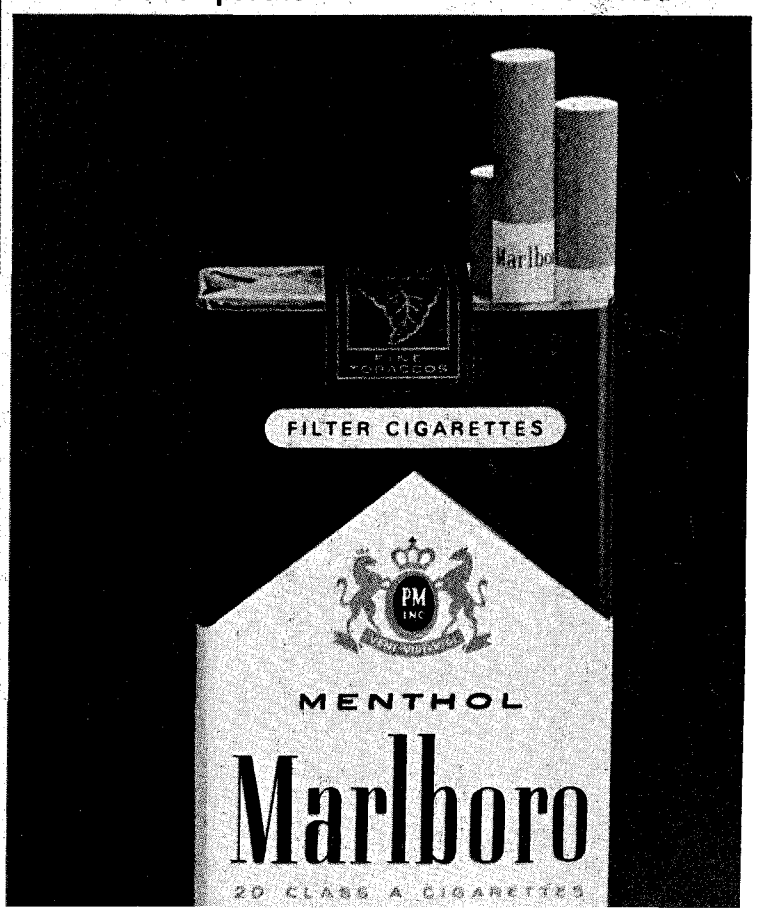

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